

# RESPONSE TO COMMENTS

## Draft Hazardous Waste Facility Permit and Draft Negative Declaration

### Southern California Edison San Onofre Nuclear Generating Station (SONGS) San Clemente, California

The Department of Toxic Substances Control (DTSC) held a 45-days public review and comment period from August 8, 2003 through September 23, 2003, and conducted a public hearing on September 8, 2003, on a Draft Hazardous Waste Facility Permit and Proposed Negative Declaration for the Southern California Edison San Onofre Nuclear Generating Station in San Clemente, California.

DTSC received written public comments in the form of letters, petitions, facsimiles, and emails. Oral statements were received and recorded by court reporter Leah L. Nelson, CSR No. 12561, during the public hearing. The applicant, Southern California Edison, also submitted written comments.

The following are the comments received and DTSC's responses. Most letters and oral statements included multiple comments, requiring a separate response for each one. Within each letter or oral statement, certain portions are numbered and put into bold type face to identify that DTSC is addressing this as a specific comment. For example, the first letter includes three specific comments. These are shown as bolded portions numbered "**Comment #1-1**," "**Comment #1-2**," and "**Comment #1-3**." The #1-1 indicates that this is letter #1, comment #1. The bolded section numbered #1-2 indicates letter #1, comment #2, and so forth.

The table on the following pages lists each commenter and the pages on which their comments and responses appear. Names of commenters are listed the order they are presented in this document, which is the order in which the comments were received. Comments in the form of petitions with many signatures are listed under the name of the person who faxed DTSC the petition.

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## COMMENTS AND RESPONSES

### Letter #1

*Ellen Rhoda, husband Ken and son Kellen  
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"Onnie" <erhoda@cox.net>*

As a resident and parent in Southern California, I implore you to deny the permit to San Onofre for the accumulation of radiated hazardous materials. My 7-year-old son attends Concordia Elementary School in San Clemente, and I must say that, even though we have the potassium iodide tablets for him, I can't actually imagine what his life would be like if any human being decided to utilize San Onofre's awesome potential as a lethal instrument. What would be left of his world? What would be left of his family and friends? What of him would truly be left in the fallout?

I have many friends who work for Edison at San Onofre. I know they have long considered nuclear energy to be a safe and viable source for our needs. I also know that regulations that could have been lax became imperative when our nation learned the hard way about the feasibility of aggressive terrorist action upon us.

It has never been defensible to develop and maintain such a powerful nuclear generating station in the middle of two of the most highly populated cities in the country, within a mile of residential areas, and right on the beach in one of the most beautiful and precious coastal areas in the world. Citizens have accepted the astronomical risks of their proximity to such a plant for many, many years, simply because the powers that be, it seems, have never actually considered, much less approved, a logical alternative site.

### **Comment #1-1**

**The fact that we now must more actively address the issue of waste storage only reinforces the clear conclusion that nuclear power is not a "safe and clean" option. I have never heard any valid justification for the**

**location of such hazards and toxic wastes in such a rare and precious area.**

I suppose that the millions of gallons of ocean water used for cooling are more easily attainable at the seashore, so that seems to justify vast destruction of our sea ecology as well as the potential devastation of our land and lives.

Please, please, please, consider that we must push ahead to develop a waste storage plan that was ill-considered and flawed at its origin, and not compound the dangerous mistake we made in the first place.

### **Comment #1-2**

**Radiated wastes have no business being stored in areas ideal for targeting of terrorist action.**

Is there a better opportunity to drastically affect United States' population, resources, economy and military than that presented by San Onofre's location?

We must move on from this point toward reducing the horrible risks we have created as much as we possibly can, and prayerfully move toward means of producing energy that do not threaten human life and fertile land in such magnitude.

Granting this acceleration of volatile accumulation would solve nothing.

Extensions just keep on coming, and we aren't making any progress toward what we ultimately MUST do. No more wastes!

### **Comment #1-3**

**Let's channel all our efforts and funds toward the relocation of these storehouses of substances with no accurately measurable lifespans to areas far from population and fruitful land.** We must gravely consider a very real terrorist threat. We have opportunity now to take active steps toward elimination of a prime target for annihilation in our priceless nation.

Please, please, please--Mr. Bahm, you have the power--you are able to do this right now--please STOP THE MADNESS!

**Response #1-1:**

DTSC does not have jurisdiction over the location or operation of the nuclear generating units at SONGS. They are regulated by the Nuclear Regulatory Commission. So are any radioactive materials present in the hazardous waste generated by these operations. The scope of the proposed permit under DTSC's jurisdiction is limited to the storage of hazardous waste generated by plant operation and maintenance. In this capacity, DTSC conducted a RCRA Facility Assessment in 2002 to review the facility's compliance with regulations, and found that the hazardous waste storage operation does not pose a threat to human health or the environment. In addition, as required by the California Environmental Quality Act (CEQA), DTSC conducted an Initial Study to assess the potential impacts associated with the hazardous waste operation addressed under the proposed permit. The Initial Study documents the potential for exposure of people and the environment to the hazardous waste through normal operation, as well as through an accident or attack. This analysis included all aspects of the hazardous waste operation, including waste properties (what chemicals **the waste** contains, in what amounts, their toxicity, etc.), handling methods, inspection procedures, etc., under the California Health and Safety Code, section 25200. DTSC also considered the radioactive materials contained in the waste to be stored in the permitted units. The Initial Study concluded that the proposed hazardous waste storage operation does not pose a significant impact to human health or the environment.

**Response #1-2:**

DTSC has evaluated the potential radiological risks associated with the proposed DTSC permit. Based on the updated SONGS Fire Hazard Analysis Report that is referenced and discussed in the Initial Study, DTSC determined **d** that the resulting

release of radioactive materials to the environment from reasonably foreseeable saboteur or terrorist-induced upsets would not create a significant hazard to the public. For further detail, please see Response #2-6.

**Response #1-3:**

The purpose of the Initial Study was to determine whether impacts associated with permitting the proposed on-site storage areas would be potentially significant, and whether or not an environmental Impact Report (EIR) would be required to be prepared that would examine alternatives to the project, perhaps including continuing operations without on-site storage. The results of the Initial Study indicated that the proposed on-site storage would result in either no impacts or impacts that would be considered less than significant. Consequently, DTSC prepared a Negative Declaration, as required by CEQA, instead of an EIR. Therefore, an analysis of alternatives to the proposed on-site storage was not required.

Letter #2

*Daniel Hirsch*

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Thank you for the opportunity to comment on the proposed hazardous waste facility permit for the San Onofre Nuclear Generating Station (SONGS).

We have two primary concerns: (1) the documentation associated with the proposed permit (e.g., the Initial Study, the "Frequently Asked Questions") appears to inadequately assess and describe the risks associated with these wastes containing mixed hazardous and radioactive materials, and (2) the proposed permit leaves open the potential for the facility becoming in essence a long-term or even permanent repository for mixed wastes, with virtually no potential for public input.

1. Failure to Adequately Evaluate and Acknowledge the Hazards

Public confidence is enhanced when regulatory agencies honestly acknowledge the risks associated with the activity they are mandated to regulate for health and safety reasons. There is a message sent that the agency knows the hazards to the public, recognizes the health impacts that can occur if something goes wrong, and are "on top" of things to assure the regulated entity takes all reasonable steps to keep those risks to a minimum.

On the other hand, when a regulator dealing with a permit request from a powerful company that handles significant quantities of hazardous and radioactive materials appears to be saying the materials aren't dangerous at all, a contrary message is sent. Then it appears to the public that the regulator is giving the potential polluter a "pass," doesn't recognize the risks, believes in fact that safety measures are unnecessary and stupid bureaucratic rules, and simply isn't on top of things sufficiently to provide members of the public with confidence that they are being protected.

The documentation associated with the proposed permit unfortunately sends a mixed message in this regard. On the one hand, it does discuss some of the safety features and procedures of the facility. On the other hand, fairly outrageous and unsupportable statements are also included, such as "the wastes do not pose health risks."<sup>1</sup> Such a statement is patently incorrect. Whereas an agency may believe the health risks are acceptable when balanced against the economic benefits to the permittee or its customers, to declare that "hazardous wastes" do not pose health risks raises troubling questions about the regulators. Indeed, the authors of the same document fall over themselves in the next paragraph when they try to explain why the hazardous wastes are called "hazardous wastes" if they are not hazardous.

**Comment #2-1**

**The assertions about low concentrations are disingenuous; if the concentrations were so low as to pose "no health risks," then there would be no need for them to be disposed of in a hazardous or mixed waste facility, nor any need**

**for the department to decide whether to issue a hazardous waste permit.** Many of these chemicals, as well as all of the radionuclides mixed with them, are carcinogens, and in general no regulatory agency in the world accepts the view implied by DTSC here that there is an exposure threshold for inducing cancer.

**Comment #2-2**

**The CEQA "Initial Study" has a number of flaws that we respectfully suggest DTSC cure before deciding whether to move forward. First of all, it artificially segments the environmental impacts of the proposed action, in violation of basic principles of CEQA review. The proposal is to expand the storage of mixed waste at SONGS - wastes mixed with radioactive and chemically hazardous constituents.<sup>2</sup> Yet the Initial Study only examines the effects of release of the chemical constituents.**

**The argument that the radioactive components are under NRC jurisdiction does not wash. The proposed action by DTSC will determine whether mixed wastes are stored at the site, and the environmental implications—all of them reasonably foreseeable, must be examined.**

**Comment #2-3**

**Secondly, there has been no numerical demonstration whatsoever that even the release of the hazardous materials would not be a problem. All that is found in the Initial Study are conclusory statements, and those are based on pretty inadequate footing.** For example, it is asserted (p. 19) that the Health and Safety Code has defined the quantities and concentrations of toxic air contaminants and hazardous materials that could produce "a significant likelihood that persons exposed may suffer acute health effects resulting in significant injury or death." (emphasis added). Since the average quantities and concentrations stored in the past at SONGS are less, DTSC argues, there can be no risk, even without analyzing for the exposures and concentrations in case of accident.

**Comment #2-4**

However, risk from hazardous and radioactive materials involves not just the risk of acute effects (death or injury appearing within hours or days of the exposure). The primary concern, in fact, from these materials, are latent effects—cancers, leukemias, and genetic effects—and these are not analyzed for in the Initial Study.

For example, using radiation for the moment, acute effects appear generally at a few hundred rem received at one time; yet doses orders of magnitude below that will yield latent cancers at risk levels above the generally acceptable risk range. The same is true for hazardous materials. The quantities necessary to cause someone to fall over dead in an hour are orders of magnitude greater than the levels necessary to carry a significant risk of inducing cancer. The failure to analyze for that is a serious flaw.

**Comment #2-5**

DTSC acknowledges (p. 15) that it did not require preparation of a Health Risk Assessment. Its explanation seems untenable: "no potential pathways appear to exist that would otherwise lead to human and ecological exposure to mixed or combined wastes." This seems patently incorrect, as a fire or terrorist event could clearly cause the release of those materials.

**Comment #2-6**

As to sabotage or terrorism, the Initial Study should evaluate the problems with SONGS security identified by the NRC's OSRE team. The facility clearly cannot successfully defend against a concerted attack by a group of terrorists with the numbers and commitment of what we saw on 9/11. A review with post-9/11 sensibilities is in order.

**Comment #2-7**

Additionally, the Initial Study several times refers to the seismic design of the storage facility. But it is important to note that evidence from a Harvard team has come forward in the last couple of years that the earthquake fault near SONGS may be capable of a far larger quake than SONGS was

designed for. That should be assessed here as well.

2. The Proposed Permit Should be Modified to Address Community Concerns that Indefinite Mixed Waste Storage Might Result

**Comment #2-8**

The proposed permit is based on two somewhat contradictory premises--that the amounts of waste and the period of time they are to be stored are likely to be small and short, but that the facility needs an expanded permit for more waste and longer storage times. This creates suspicion on the part of some in the community **that this is in fact an effort to create a long-term mixed waste storage facility at the site.**

The problem is exacerbated by a strange procedure proposed in the permit—that the permit purportedly bar storage longer than a year, but allow that to be waived at a staff level at DTSC with little if any public input. The public thus gets to comment on the proposed permit which purports to contemplate storage of no more than a year, but if SONGS staff can get a DTSC staff person to sign off, that fundamental basis of the permit is waived, outside of the public permit approval process.

We respectfully suggest DTSC modify the permit to bar storage longer than a year. If SONGS wishes to have that requirement waived, they should have to amend the permit in a process with as much CEQA protection and public process as the current one.

Thank you for the opportunity of commenting on this proposed action.

Footnotes:

1. "Frequently Asked Questions About the SONGS Hazardous Waste Facility."

2. A couple of tangential sentences about the radioactivity are included, but involve no analysis. For example, it merely says that NRC rules set 100



mrem/year as the permissible exposure, but there is no indication that the mixed waste proposal cannot result in exposures outside normally acceptable risk ranges. Furthermore, the assertion (p. 15) that "a maximum reading" of 0.07 millirem/year was taken in 2002 at the perimeter is clearly incorrect, as the previous sentence indicates a background of 50-100 millirem/year, so an instrument presumably wasn't distinguishing that incremental addition. I would presume that the 0.07 millirem figure is calculated, not measured; in any case, it tells one absolutely nothing about the potential doses in case of accident at the proposed mixed waste facility. Without curie inventories for the major radionuclides and a dispersion/exposure calculation about doses (individual and population) from release of that inventory, e.g., through fire or sabotage, no conclusion about the environmental acceptability of the project can be reliably made.

3. "Excess cancer risk associated with exposure to chemically hazardous constituents of the mixed/combined waste stored at SONGS storage units was not specifically evaluated" (p. 15). The explanation given, that the wastes are stored in sealed containers, is baffling, as the risk of course is from leakage from the containers, or fire or explosion causing their release.

#### **Response #2-1:**

In attempting to answer the question 'How hazardous is this hazardous waste?', the statement in the FAQ was:

"... Some of the hazardous waste constituents such as hydrazine, 1,1,2-trichloroethane, trichloroethylene, and methylene chloride may have long-term health effects in high concentration. Because the chemicals have low concentration or are only stored in small quantities—and all are in sealed containers—the wastes do not pose health risks."

The FAQ described some of the chemical constituents and pointed out those that may have long-term health effects in large concentrations.

Chemical hazards are dependent upon the quantities, nature of the materials, and exposure route to chemicals. Regulatory requirements, such as storage permits, are intended to assure that best management practices are used to reduce the likelihood of exposure and thus the resulting potential health risks from hazardous chemicals. Requirements include engineered controls such as sealed containers to prevent releases and administrative controls or work practices to prevent uncontrolled access. DTSC considers health risks to be acceptable when the waste, including those carcinogenic constituents, is managed in accordance with permit conditions and regulatory requirements.

#### **Response #2-2:**

The effects of a release of the radioactive materials that may be contained in the waste stored in the mixed waste and combined waste storage areas under the proposed DTSC permit are addressed in the Initial Study. With regard to releases that may occur during routine operations, the cornerstone of DTSC's finding of less than significant impact is the apparent lack of potential pathways that would otherwise lead to human and ecological exposure to mixed wastes or combined wastes. This finding is applicable to both the radioactive constituents and hazardous constituents of such waste.

With regard to direct radiation exposure during routine operations, the Initial Study notes that:

"The NRC requires Southern California Edison (and other licensees) to ensure that members of the public are not exposed to more than 1 milliRem/hour and that the maximum annual dose to a member of the public from operation of a facility is limited to no more than 100 milliRem/year in Title 10 of the Code of Federal Regulations, Part 20. Title 40 of the Code of Federal Regulations, Part 190 restricts the allowable level of

radioactivity at the perimeter of SONGS to 25 milliRem/year. The natural background radiation level at SONGS typically ranges between 50 and 100 milliRem/year. A maximum reading of 0.07 milliRem/year was taken in calendar year 2002 at the perimeter of SONGS near the SYF-BP and MPHF. “

The above information, which was provided to DTSC by SONGS, supports the conclusion that direct exposure to radiation from normal operation of the mixed waste storage areas will not create a significant impact to human health or the environment. SONGS also provided amplifying information that further supports this conclusion. Specifically, SONGS informed DTSC in 2002 the total maximum dose to a member of the public from SONGS was conservatively calculated to be 0.558 millirem, well below all federal regulatory limits. The storage of mixed waste at the South Yard Facility (SYF) and Multi Purpose Handling Facility (MPHF) was not a meaningful contributor to this value. For the permitted waste storage units in year 2002, the annual direct radiation dose measures near the SYF was 0.070 millirem and the annual direct radiation dose measured near the MPHF was 0.062 millirem. This is a very small fraction of background.

With regard to upset conditions, the Initial Study discusses the MPHF design standards and conditions for waste storage at the MPHF that support DTSC's conclusion that an accidental release of waste materials in the MPHF is not expected to result in significant impacts. DTSC's conclusion is applicable to both the radioactive constituents and the hazardous constituents of the mixed wastes and combined wastes that would be stored in the MPHF under the proposed DTSC permit.

DTSC relies on conformance of the SYF-BP waste storage facility with NRC safety standards to conclude that the risk of radiological upsets at the SYF-BP mixed waste and combined waste storage unit that would be subject to the proposed DTSC permit would not create a significant hazard to the

public. In this regard, DTSC considered the updated SONGS Fire Hazard Analysis Report (SONGS Report) in the Initial Study. Relative to releases of radioactivity from the SYF-BP waste storage facility, the SONGS Report notes that SONGS considers a fire to be the worst design basis event. DTSC considers this event to be the bounding design basis event, because the design standards and conditions for waste storage at the MPHF, which are discussed in the Initial Study, are more protective than those at the SYF-BP.

As documented in the SONGS Report, SONGS has evaluated offsite radiological doses that could result from the release of radioactivity in the waste constituents released from a fire at the SYF-BP waste storage facility. In its evaluation, SONGS calculated the total amount of inhaled radioactivity that would result in a total exposure equivalent to the exposure limit established by the NRC in Generic Letter 81-38, "Storage of Low-Level Radioactive Waste at Power Reactor Sites." SONGS then used the result to determine the maximum amount of radioactivity that may be stored in the SYF-BP waste storage facility so that, in the event of a design basis fire, the offsite dose consequences at the site boundary would be within the Generic Letter 81-38 limits. When storage limits are set using the methodology applied by SONGS, the worse case upset scenario is a fire in which the maximum allowable amount of stored radioactivity is released to the atmosphere in two hours or less. SONGS calculations show the exposure that would be received at the site boundary in this scenario would be in compliance with the exposure limit established by the NRC in Generic Letter 81-38.

As indicated by the Initial Study, the SONGS Report was used to establish the maximum number of containers of mixed waste or combined waste that may be stored in the SYF-BP waste storage facility. DTSC concludes that, by controlling the number of containers in this manner, SONGS can control the total amount of radioactivity contained in the waste stored at the SYF-BP waste storage facility so that release of radioactive materials to the environment from upsets would not create a significant hazard.

The SONGS Report is available to the public in the San Clemente Public Library, at 242 Avenida del Mar, San Clemente. The Generic Letter 81-38 is available to the public at:  
<http://www.nrc.gov/reading-rm/doc-collections/gen-comm/gen-letters/1981/gl81038.html>.

**Response #2-3:**

DTSC did not consider a probabilistic risk assessment of potential impacts of the hazardous waste constituents subject to the draft permit to be necessary to conclude that impacts would not create a significant hazard. As noted in the Initial Study, DTSC did not find preparation of a probabilistic risk assessment necessary for normal operations principally because no potential pathways appear to exist that would otherwise lead to human and ecological exposure to mixed wastes.

With regard to upsets and accidents, release of hydrazine and trichloroethylene were identified as posing the greatest potential hazard. However, preparation of a probabilistic risk assessment was not necessary primarily because the small quantities and low concentrations likely to be present would be less than relevant regulatory standards established by the U. S. Environmental Protection Agency (U. S. EPA) and the California Office of Emergency Services, in consultation with the Office of Environmental Health Hazard Assessment.

**Response #2-4:**

Cancer risks are produced by prolonged, continual exposure to the chemicals or radioactive materials, on the order of months or years. Such exposures only occur if the wastes are not sealed or stored properly. The permit includes strict requirements for storage of the waste in sealed containers approved for mixed waste storage. Consequently, compliance with permit requirements eliminates the cancer-causing chemical's exposure route to humans. Therefore, a quantitative cancer risk assessment was not necessary.

**Response #2-5:**

Health risk assessments are prepared for situations where a facility's routine operation involves hazardous chemicals, known or suspected doses, and exposure routes. Since the wastes at SONGS are stored in sealed drums routinely, there are no exposure routes. DTSC did include a qualitative analysis of the potential environmental impacts from accidental releases from the proposed storage areas, as described in Section #7 of the Initial Study ("Hazards and Hazardous Materials"). This analysis concluded that accidental releases would not cause significant impact due to the low chemical concentrations and small quantities in storage.

**Response #2-6:**

DTSC understands Operational Safeguards Response Evaluations (OSREs) to be a term that NRC uses to refer to Force-on-Force (FOF) exercises. FOF exercises are a primary means that NRC has used since 1991 to conduct performance-based testing of a licensee's security force and its ability to prevent radiological sabotage, as required by NRC regulations (10 CFR Part 73). Following September 11, 2001, FOF exercises were suspended.

In February 2003, the NRC decided to establish an expanded Force-on-Force exercise pilot program. The full program includes table-top and Force-on-Force exercises that use a number of commando-style attacks seeking to probe for potential deficiencies in the facility's defensive strategy. A mock adversary force carries out these attacks. The NRC ensures that any potentially significant deficiencies in the defensive strategy identified during the pilot Force-on-Force exercises are promptly reviewed, and properly addressed. The ongoing pilot program is focused on identifying elements of the Force-on-Force process that should be improved. When the pilot program is completed and evaluated, a new program of Force-on-Force exercises will be established by the NRC.

See the NRC's Fact Sheet at

<http://www.nrc.gov/reading-rm/doc-collections/fact-sheets/force-on-force.html> and the NRC's FAQ web page referenced therein at <http://www.nrc.gov/what-we-do/safeguards/faq-force-on-force.html>

DTSC relies on NRC's years of experience in evaluating the results of FOF exercises and the exercise enhancements that NRC is making to reflect the post September 11, 2001, threat environment to keep the risk of sabotage or terrorist-initiated upsets from occurring at SONGS to a less than significant level. DTSC also relies on other security enhancement actions taken by NRC after September 11, 2001. See the NRC's FAQ at: <http://www.nrc.gov/what-we-do/safeguards/faq-911.html#2> These actions include the following:

- On September 11, 2001, the NRC placed all licensed nuclear power generating facilities in the United States on the highest level of security alert. The NRC's press release announcing the elevated level may be found at <http://www.nrc.gov/reading-rm/doc-collections/news/2001/01-109.html>

- On February 25, 2002, the NRC issued Orders to all commercial nuclear power plants for interim compensatory measures. The NRC's press release discussing the Orders can be found at: <http://www.nrc.gov/reading-rm/doc-collections/news/2002/02-025.html>

- On August 19, 2002, the NRC implemented their new threat advisory system per NRC Regulatory Issue Summary 2002-12A, "Power Reactors NRC Threat Advisory and Protective Measures System," which is based on the Homeland Security advisory system. The NRC's press release discussing the new system can be found at: <http://www.nrc.gov/reading-rm/doc-collections/news/2002/02-095.html>

- From October 7 through November 2, 2002, the NRC conducted an inspection on SONGS Units 2 and 3 to assess Southern California Edison's (SCE's) implementation of the February 25, 2002 Order. This inspection report, titled "NRC

Safeguards Inspection of Compliance with Order. Inspection Report 50-361/02-013; 50-362-02-013," was issued on December 20, 2002. The inspection consisted of selected examination of procedures and representative records, observations of activities, and interviews with personnel. Selected portions of the inspection report can be found on the NRC's document system ADAMS \* at <http://www.nrc.gov/reading-rm/adams.html>; the accession number is ML023570491.

- From September 8 to October 30, 2003, the NRC reviewed SCE's compliance with NRC Security Orders. The Inspection Report, titled "San Onofre Nuclear Generating Station - NRC Safeguards Inspection of Compliance with Order. Inspection Report 05000206/2003-012, and 05000362/2003-012," was issued January 15, 2004. Selected portions of the inspection report can be found on the NRC's document system ADAMS \* at <http://www.nrc.gov/reading-rm/adams.html>; the accession number is ML040300957.

- In November 2003, the NRC conducted a routine physical security limited baseline inspection on SONGS Units 2 and 3. The inspection report, titled "San Onofre, Units 2 and 3 - NRC Physical Security Limited Baseline. Inspection Report 05000361/2003014 and 05000362/2003014," was issued January 16, 2004. Selected portions of the inspection report can be found on the NRC's document system ADAMS \* at <http://www.nrc.gov/reading-rm/adams.html> The accession number is ML040300870.

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\* Note: The above referenced ADAMS system files may have been temporarily unavailable to the public due to additional security review by NRC. Please see NRC <http://www.nrc.gov/reading-rm/doc-collections/news/2004/04-135.html> or <http://www.nrc.gov/reading-rm/doc-collections/news/2004/04-140.html> or <http://www.nrc.gov/reading-rm/doc-collections/news/2004/04-144.html> NRC on December 7, 2004 has returned a number of reactor-related documents to its online library ADAMS. The documents are now available from ADAMS by using CITRIX access to the NRC electronic reading room site, available at <http://www.nrc.gov/reading-rm/adams.html>

DTSC understands that the details of any problems with security identified by the FOF exercises or the other documents discussed above would be designated by NRC as "Safeguards Material", which cannot be released to DTSC without a need to know. As discussed below, DTSC does not need such information in order to evaluate the magnitude of the hazard to the public that could result from a reasonably foreseeable saboteur or terrorist-induced upset and reasonably conclude that the resulting release of radioactive materials to the environment from such an upset would not create a significant hazard.

The Initial Study expressly recognizes that upsets that lead to releases of mixed waste and/or combined waste may be caused by sabotage, as well as by human error, equipment malfunction or act of nature. Relative to such releases, SONGS considers a fire to be the worst design basis event for the SYF-BP waste storage facility, which includes one of the mixed waste and combined waste storage units covered by the proposed DTSC permit. DTSC considers this event to be the bounding design basis event because the design standards and conditions for waste storage at the MPHF, which are discussed in the Initial Study, are more protective than those at the SYF-BP.

SONGS has evaluated offsite radiological doses that could result from the release of radioactivity in the waste constituents released from a fire at the SYF-BP waste storage facility. In its evaluation, SONGS calculated the total amount of inhaled radioactivity that would result in a total exposure equivalent to the exposure limit established by the NRC in Generic Letter 81-38, "Storage of Low-Level Radioactive Waste at Power Reactor Sites." SONGS then used the result to determine the maximum amount of radioactivity that may be stored in the SYF-BP waste storage facility so that, in the event of a design basis fire, the offsite dose consequences at the site boundary would be within the Generic Letter 81-38 limits.

When storage limits are set using the methodology applied by SONGS, the worse case upset scenario is a fire in which the maximum allowable amount of

stored radioactivity is released to the atmosphere in two hours or less. Whether the initiating event for such a fire is an act of sabotage or terrorism, human error, equipment failure or an act of nature does not affect the exposure that would be received at the site boundary, which SONGS calculations show would be in compliance with the exposure limit established by the NRC in Generic Letter 81-38.

The SONGS evaluation is documented in an updated Fire Hazard Analysis Report prepared by SONGS (SONGS Report), which is referenced and discussed in the Initial Study. As indicated by the Initial Study, the SONGS Report was used to establish the maximum number of containers of mixed waste or combined waste that may be stored in the SYF-BP waste storage facility. DTSC concludes that, by controlling the number of containers in this manner, SONGS can control the total amount of radioactivity contained in the waste stored at the SYF-BP waste storage facility so that release of radioactive materials to the environment from upsets would not create a significant hazard, regardless of whether the initiating event is an act of sabotage or terrorism, human error, equipment failure, or an act of nature. Consequently, there is no need for DTSC to evaluate the specific problems identified by the NRC's security enhancement programs, including the FOF exercise program.

Similarly, there is also no need for DTSC to evaluate the specific problems identified by the NRC's FOF exercises in order for DTSC to reasonably conclude that the risk of upset associated with the hazardous constituents in the waste to be authorized for storage under the DTSC permit is less than significant. See Response #2-3.

The SONGS Report is available to the public in the San Clemente Public Library, at 242 Avenida del Mar, San Clemente. The Generic Letter 81-38 is available to the public at:

<http://www.nrc.gov/reading-rm/doc-collections/gen-comm/gen-letters/1981/gl81038.html>

**Response #2-7:**

Reactor Units #2 and #3 and supporting structures at SONGS were constructed in the early to mid 1980s (see RCRA Facility Assessment). For the two mixed waste storage structures: (1) the metal I framed canopy roof was added to the South Yard Facility - Batch Plant (SYF-BP) in 1985, and (2) the Multipurpose Handling Facility (MPHF), a single story structure just west of the SY-BP, became operational in 1984. The MPHF features reinforced concrete and was designed as a seismic category III criteria and quality class IV structure pursuant to the 1982 Uniform Building Code. This structure provides a high level of shielding by using at least one-foot-thick concrete and steel walls and has a fire suppression system.

In December 2000, Mr. Steven J. Bauman a registered Civil Engineer (California No.C34324) with Kintr Environmental, Inc., visited both the SYF-BP and the MPHF and subsequently certified both structures to be in compliance with the newly released International Building Code (IBC 2000). The MPHF and the covered South Yard Facility were both determined to meet the current California building seismic code requirement as adopted from the International Building Code-2000 standards. The storage structures were built significantly later than Reactor Units #2 and #3 and thus to a newer seismic standard. These structures are anticipated to provide more than adequate protection.

**Response #2-8:**

Due to limited capacity nationwide, off-site options for the treatment and disposal of mixed waste are limited. The storage extension is intended to allow SONGS to store mixed wastes longer than one year only when these off-site options are not available. And the permit requires SONGS to demonstrate its efforts to dispose of mixed waste at least 60 days before the 1 year storage period expires.

The mixed wastes subject to extension have been identified in the Permit. DTSC has determined that storage of these wastes would not create significant

hazards to the environment or the public. This determination was based on the storage capacity authorized by the permit, and the nature of the waste in storage. Consequently, additional environmental review is not necessary to extend storage times provided the extension would not result in the authorized storage capacity being exceeded. If it is necessary to increase the authorized storage capacity to accommodate extended storage, SONGS would be required to submit a permit modification request for DTSC's approval. DTSC's permit modification requirements would provide for an appropriate level of environmental analysis and public review.

Currently, SONGS has no waste in extended storage. On November 24, 2003, SONGS shipped its last remaining quantity of legacy mixed waste (stored beyond one year due to difficulty in disposal). Six containers of Freon filters were shipped to Perma-Fix Environmental Services. SONGS notified DTSC on December 23, 2003 that, by this action, the last remaining quantities of legacy mixed waste had been disposed of.

**Letter #3**

*Petition signed by Sharron Stodden with 25 other signatures:*

A 62,250 gallon accumulation of hazardous, radiated toxic, inflammatory and explosive materials at San Onofre State Beach Park, on the nuclear site, would not increase the safety of those who live in the highly populated 50 mile emergency zone of the power plant.

We ask you to protect us by prohibiting the stockpiling of dangerous materials there. San Onofre is already one of the "most vulnerable terrorist targets," according to the Homeland Security scientists.

**Comment #3-1**

**We depend on you to reduce the potential for damage of such an attack, not increase it by stockpiling wastes that are hazardous for up to hundreds of years, that might be blasted over our beaches and surf at San Onofre.**

**Response #3-1:**

The draft Hazardous Waste Permit authorizes storage up to one (1) year and limits quantities to no more than 62,250 gallons. Mixed waste is shipped several times each year to an appropriately permitted off-site treatment or disposal facility. Extension is allowed only when SONGS encounters difficulties in nationwide disposal options and capacities. SONGS's extension request must be well justified before DTSC can allow extended storage. Please see Response #2-8 for a more detailed explanation on extension.

**Letter #4**

*Petition with 167 signatures:*

**STOP FUTURE STOCKPILING OF NUCLEAR WASTES ON OUR BEACH AT SAN ONOFRE**

We are concerned that Southern California Edison has applied for permit to stockpile—on the San Onofre Nuclear site—toxic materials and mixed wastes, deadly radiated inflammatory materials, in quantity HUNDREDS OF TIMES that generated in the annual operation of San Onofre.

We understand that these wastes have routinely been shipped to repositories in South Carolina. These wastes are less radiated, and—in ADDITION TO—the thousands of years-lethal, radiated fuel-rods that are waiting in San Onofre tanks, for transfer to a safe repository.

We understand that the storage application was filed before the September 11 terrorist attack, thus we appeal to Edison Co. to WITHDRAW THE APPLICATION in recognition of Homeland Defense scientists' determination that nuclear generating facilities are "MOST VULNERABLE POTENTIAL TARGETS" for terrorist attack.

We urgently request our elected officials, and especially our Environmental Protection Agency to take action to prevent this stockpiling creation of potential for catastrophe at San Onofre.

**Comment #4-1**

**We ask for a LOAD AND SHIP POLICY FOR NUCLEAR WASTES AT San Onofre—and on all nuclear power plant sites in populated areas.**

**Response #4-1:**

DTSC interprets that the "Load and Ship Policy" means shipping waste every 90 days. A Load and Ship Policy has the disadvantage that it will cause more traffic in transporting the waste. More frequent trips have a greater potential for traffic impacts and accidents. The longer storage times allow for the wastes to be consolidated and transported in fewer trips. In addition, the Initial Study determined that the longer storage times do not pose a significant risk to human health and the environment.

**Letter #5**

*K.C. Hicks*

*3908 Calle Ariana*

*San Clemente, CA 92672*

**Comment #5-1**

The rapid load and ship requirement was put in place after much deliberation. The only reason not to implement it on a regular basis is monetary.

**Storing radiated waste past the required load and ship timeframe is placing the safety of citizens secondary to money interests. This is not right.**

**Response #5-1:**

Please see Response #4-1

**Letter #6**

*Lyn Harris-Hicks*

*205 Calle De Ana*

*San Clemente, CA 92672*

**CREED STATEMENT #1**

**Coalition for Responsible and Ethical Environmental Decisions**

**STATEMENT AND RECOMMENDATION  
NUMBER ONE September, 2003**

COMMENTS TO: Department of Toxic Substances Control of California Environmental Protection Agency Public COMMENT REQUEST RE: Edison application for permit to store 62,250 gallons of radiated hazardous materials on San Onofre load-and-ship facility. CREED is a coalition of community organization and government leaders. We do not represent our organizations. We are liaisons to them. This statement reaffirms CREED's support for EPA load-and-ship policy, number 6 of CREED's January 2002 Response to Terrorist San Onofre Threat.

**Comment #6-1**

In response to Homeland Security scientist's assessment that "nuclear power plants are most vulnerable terrorist targets," **CREED urges tightening of DTSC hazardous materials load-and-ship process.** Major California industries that generate quantities of radiated hazardous waste are required to move the lethal materials off-site within 30 days. CREED is aware that enforcement on the San Onofre site was tightened in 1997, 1998 and 1999 followed by a rapid load and ship policy which trucked away 183 53 gallon drums, some held on site from 1989.

In recent years, Edison has improved its operations, creating less of the lethal materials. Though allowed to hold the radiated toxics, inflammables and explosives beyond a year under interim extension permit for each barrel that remains longer than the year limit, Edison has rapidly loaded and shipped. In mid September, the Department of Toxic Substances Control reported that six 55 gallon drums that had been on site longer than a year, in August, had all been hauled away—demonstrating the feasibility of rapid load-and-ship CREED asserts that the interim permit—to hold radiated materials, some hazardous for hundreds of years—is unnecessary and unacceptable.

Now—this permit would approve the routine accumulation, on site, of San Onofre's entire production of these radiated hazardous materials. Since the 500 gallons per month figure, published in the draft document, is a five year average, it

includes earlier years of less efficient operation, and high volume radiated hazardous materials.

**Comment #6-2**

**Thus, our most recent average month projection—approximately 55 gallons (Edison's Brian Metz/January 2002) is more accurate. The permit's annual extension and 62,250 gallon stockpiling limit would allow more than a thousand months without any shipping off-site—open ended years of stockpiling—in the guise of "temporary storage." This is totally without foundation in reason.**

Rapid load-and-ship eliminates the necessity for on-site storage of these radiated hazardous materials. Rapid load-and-ship decreases vulnerability to terrorist attack. It provides increased protection for the thousands of persons in the immediate vicinity of the reactors. Those thousands are: State Beach visitors on both the north and south edges of the nuclear site, travelers on the Interstate 5 and Santa Fe trains—both transportation arterials, bisecting the site—families of the Basilone community, one mile from San Onofre; and families in the City of San Clemente, two miles from the reactors. These populations constitute the most vulnerable targets identified by Homeland Security.

CREED expects denial of Edison's unjustified application for permit to abandon the load-and-ship policy, and further asks that the current time and volume limits be reduced---not increased.

**Response #6-1:**

Please see Response #4-1.

**Response #6-2:**

Waste generation quantity at SONGS varies and is heavily influenced by equipment maintenance and cleaning. The 55-gallons per month figure cited may reflect activities at SONGS in 2002; however, a figure of 200 gallons per month is deemed to be a more representative average value for mixed waste generation at SONGS.



Waste is not allowed to be stored under the permit more than 12 months without special permission from DTSC. Currently there is no waste in the storage facility that has been there longer than 12 months. The Freon® filters, because of the RCRA-waste listing and the land disposal restrictions, represented the most extreme case. In that case, waste had to be stored for three or more years until an off-site disposal option was available. These wastes were shipped late in 2003 to a commercial mixed waste facility, which had recently established permitted treatment capabilities. Due to limited capacity nationwide, off-site options for the treatment and disposal of mixed waste are limited. The storage extension is intended to allow SONGS to store mixed wastes longer than one year only when these off-site options are not available. Also, please see Response #2-8.

Letter #7

Lyn Harris-Hicks

205 Calle De Ana

San Clemente, CA 92672

CREED STATEMENT #2

Coalition for Responsible and Ethical  
Environmental Decisions

CREED STATEMENT AND RECOMMENDATION  
NUMBER TWO September 2003

The draft statement—by the Department of Toxic Substances Control (DTSC) of the California EPA—that radioactive hazardous waste storage of 62,250 gallons, on the San Onofre Nuclear Generating Station site would “pose no risk to the public health or the environment” is based on invalid, incomplete information, caused in part by Nuclear Regulatory Commission staff preemption of authority to address impacts of radiation hazard in assessment of health and safety risks.

**Comment #7-1**

**NRC withholding—from state and local agencies and from the public—of essential radiation related data, invalidates this necessary initial study by the Department of Toxic Substances Control.**

**Nuclear Regulatory reports documenting the volume, and health and safety hazards of radiation elements that might be blasted into the air from various sabotage or terrorist attacks, were not available. Nor were the distances that those lethal elements might be carried—as dust, ash, smoke, vapors and particles—in various wind conditions. This data is essential information for the DTSC determination of potential risk in storage of the hazardous materials.**

**Comment #7-2**

The most dangerous “low level” materials generated by nuclear power stations are calculated to be hazardous for as long as 320 million years, but **the largest volume and longest hazard-life of radioactive elements in San Onofre’s hazardous mixed waste is cesium 137, hazard life of about 300 years...sample of information that must be evaluated in the DTSC report.**

**Comment #7-3**

**The DTSC staff relied on decade-old roadway access, traffic, population figures and seismic studies.** For valid analysis of potentially devastating sabotage and terrorist attack, scenarios in which hazardous materials might be spread over neighborhoods, school-grounds, heavily used roadways and beaches, Department of Toxic Substances Control must have availability of accurate current data.

CREED therefore, asks that local, state and federal government officials persist until the NRC and Department of Homeland Security provide updated documents regarding potential impact to public health and safety.

**Comment #7-4**

**These documents must factor in various scenarios of terrorist attack and sabotage, and compare potential damages with and without on-site storage of low and high-level lethal radioactive waste.**

**Comment #7-5**

**Further, we strongly recommend that the Department of Toxic Substances Control and the California Environmental Protection Agency withhold development of its final report and its determination until the Nuclear Regulatory Commission and Federal Government provide up-to-date, comprehensive, and objective radiation hazard data, and permit the DTSC and Cal EPA to factor that data into its assessment.**

**Response #7-1:**

The NRC data of concern to the commenter is not necessary for DTSC to reasonably determine the potential radiological risks associated with the proposed DTSC permit. The updated SONGS Fire Hazard Analysis Report (SONGS Report) that is referenced and discussed in the Initial Study, which is based on SONGS data, provides an adequate basis for making this determination. Based on the SONGS Report, DTSC determines that the resulting release of radioactive materials to the environment from reasonably foreseeable sabotage or terrorist-induced upsets would not create a significant hazard to the public. Please see Response #2-6.

**Response #7-2:**

DTSC reviewed the SONGS operations and examined the quantities and nature of mixed waste generated and stored in the mixed waste storage areas. DTSC found that as to all mixed waste generated at SONGS the concentrations of radioactive elements are very low. The largest volume and most continuous mixed waste stream generated at SONGS is radioactively contaminated waste oil. SONGS has been able to treat a large portion of this waste stream under Conditional Authorization Tier, a form of hazardous waste treatment authorization, so as to remove the Cesium-137. During the Initial Study preparation, DTSC reviewed three manifest records from 2002 that showed Cesium-137 and Cobalt-60 were the most abundant isotopes present, with Cesium-137 having the half life of approximately 30 years, and Cobalt-60 approximately 5.25 years. These

radioisotopes are regulated by NRC. As indicated by Response #2-2, DTSC relies on NRC's regulation to ensure that there is no significant risk associated with the presence of Cesium-137, Cobalt-60 or other radioisotopes that may be present in the mixed waste or combined waste stored in the proposed hazardous waste storage units.

**Response #7-3:**

In the preparation of the Initial Study, maps from numerous sources and population figures from the City of San Clemente were used (<http://ci.san-clemente.ca.us/Inf/Econ/Info/> cites Population 2000 = 51,550 est., 2003 = 60,700). The City's demographics data provided population and housing information based upon the latest census data available. In some cases this was as recent as 2002, however some of the information goes back to 1990 and 2000 as US census reports are prepared on a ten year cycle. It was deemed that impacts from the proposed project have negligible to very limited impact on the existing local roadways or housing needs.

Statistics of the City of San Clemente are as follows per City of San Clemente web site <http://ci.san-clemente.ca.us/sc/Search/default1.asp> on March 23, 2004:

Population 2003 = 60,700  
Population 2010 = 68,706 est.

As to the updated transportation data, DTSC contacted the California State Department of Transportation (Caltrans), Development Review Branch. Caltrans responded that there is no newer or recent data available.

As to the seismic study, please see Response #2-7.

**Response #7-4:**

The Fire Hazard Analysis Report discussed by DTSC in the Initial Study makes the comparisons sought by the commenter unnecessary. Please see Response #2-6.

**Response #7-5:**

The Fire Hazard Analysis Report discussed by DTSC in the Initial Study makes analysis of the data referenced by the commenter unnecessary. See Response #7-1.

Letter #8

*Craig Jago Beauchamp et al.*

**UNDER THE MOUNTAIN INITIATIVE**  
**A CREED Focus Group Proposal**

CREED (Coalition for Responsible and Ethical Environmental Decisions) urges that the request of the Edison Company to stockpile 62,250 gallons of radiated hazardous materials, on site, above ground, be denied.

**Comment #8-1**

**The initiating proponents, identified below, recommend that the protective benefits of underground siting be assessed. We suggest consideration of the San Onofre Mountain on the nuclear site east of the freeway, for an under the mountain installation. An existing freeway underpass to the inland side of the site could be used to transport the material. Or a tunnel built under the railroad and freeway, into the mountain, could eliminate surface vulnerabilities.**

Since 9/11, citizens and governmental officials must consider the possibility of a terrorist attack. In addition, a major earthquake could occur at any time along the recently discovered thrust faults beneath the San Onofre reactors

Handling the radiated material underground, away from the ocean, would be safer than managing it on open-air dock, above ground. Under the mountain would provide added protection to the families on the State Beach—on both north and south boundaries of the reactor site—to those on the freeway that bisects the nuclear site, and to the thousands of residents within a few miles.

Proponents of this request are CREED liaisons "to" and do not "represent" their present or past

organizations and governmental entities. This is A CREED Focus Group action that may or may not be supported by all CREED liaisons.

**INITIATING PROPONENTS**

Craig Jago Beauchamp: Attorney at Law, member National Lawyers Guild

Marianne Sue Brown: former hospital administrator; college instructor

Lyn Harris Hicks: Soroptimist; former Daily Sun Post News Editor

Bob Joseph: Cal Trans planner; former California Coastal Commission planner

Ricardo Nicol: AIA; Arch; Rotarian; former San Clemente planning commissioner

**Response #8-1:**

The proposed project under consideration by DTSC is the issuance of a final permit decision of a mixed-waste storage permit for the existing storage unit at SONGS. To comply with CEQA, DTSC conducted an Initial Study to determine whether impacts associated with the permit issuance (proposed project) would be potentially significant, and whether or not an Environmental Impact Report (EIR) would be required to be prepared that would examine alternatives to the project, perhaps including an alternative siting analysis as suggested. The results of Initial Study indicated that the proposed project would result in either no impacts or impacts that would be considered less than significant. Consequently, DTSC prepared a Negative Declaration, as required by CEQA, instead of an EIR. Therefore, an analysis of alternatives to the project was not required as suggested in your comment.

Letter #9

*Lyn Harris Hicks*

*205 Calle De Ana*

*San Clemente, CA 92672*

**CREED**

**Coalition for Responsible and Ethical  
Environmental Decisions**

**FOR IMMEDIATE RELEASE**

Info: Lyn Harris Hicks  
949-429-5078

There is still time to record comments on the proposal by Edison to “store” 62,250 gallons of hazardous waste—radiated toxic, inflammable and explosive materials—on the load and ship dock of the San Onofre Nuclear Generating Station.

CREED, Coalition for Responsible and Ethical Environmental Decisions, organization and local government leaders, is urging residents of the 50 mile emergency planning zone around San Onofre to express their questions, opinions and concerns to the California Environmental Protection Agency Department of Toxic Substances Control, c/o [WBahm@dtsc.ca.gov](mailto:WBahm@dtsc.ca.gov) through the September 23 public comment deadline.

The 62,250 gallons are not, now, on the site. The permit would allow Edison to avoid the current load-and-ship policy. Under the permit’s annual extensions, San Onofre would accumulate its entire production of these radiated hazardous materials (January 2002 estimate: 55 gallons/month average), longer than a thousand months to reach the permit 62,250 gallons stockpiling limit.

**Comment #9-1**

**CREED is recommending denial, withdrawal or revision of the application, asking that DTSC expedite the current load-and-ship policy, rather than abandon it.** CREED’s steering group concludes that the terrorist threat to nuclear power plants, described by Homeland Security Officials as “most vulnerable terrorist threat,” is the dominant reason for denial.

Noting that the application was filed years before the 9-11 attack, CREED leaders object to ground surface storage of the radiated materials—some of them hazardous for hundreds of years. CREED cites the storage as, “not acceptable on the open-air, load- and-ship, dock area of San Onofre.” They ask that the DTSC acknowledge and assess the newest terrorist threat of intentional destruction—choice of targets on the site, attack-timing to take

advantage of most damaging wind direction, and 9-11 magnitude impact.

CREED welcomes questions about San Onofre issues: 949-429-5078

**Response #9-1:**

California Health and Safety Code, section 25186 provides DTSC the relevant authority to deny a hazardous waste facility permit application if DTSC finds a permit applicant’s noncompliance with environmental requirements shows a repeating or recurring pattern or may pose a threat to public health or safety or the environment. DTSC currently has no grounds, or evidence of an unacceptable health risk to deny SONGS application.

As to the “Load and Ship Policy”, please see Response #4-1.

Letter #10

*Cara Black*

*San Clemente*

*No Mailing Address*

*<mcdermottblack@cox.net>*

**Comment #10-1**

I am very concerned about the San Onofre Nuclear Power plant. I have two young children who go to school very close to the plant. **Please make sure that the plant is as safe as a Nuclear power plant can be.**

Personally with all that is going on in the world I think closing the plant down would be the smartest thing to do. If something goes wrong the consequences are huge. Thank you for your time.

**Response #10-1:**

NRC and SONGS work closely to assure the safe operations of the nuclear power plant. DTSC, NRC and SONGS work closely to assure the safe operations of the mixed waste storage areas.

Letter #11

*Gloria Van Gieson*

*Los Angeles 91343  
No Street Address  
<gloradv@earthlink.net>*

**Comment #11-1**

**I strongly oppose Edison's storing of toxic chemicals near San Onofre.**

**They are too hazardous to be stored in a residential area.**

**Response #11-1:**

SONGS is not located within, nor is it adjacent to, a residential area. However, DTSC did evaluate the potential risks to the surrounding community from the storage, handling, and possible release of the mixed waste, and found that the risks are negligible even in the event of a release. Please see Responses #1-1, #2-2, and #2-3.

Letter #12

*Lyn Harris Hicks  
lynharris.hicks@cox.net*

Dear Mr. Bahm:

This note is an explanation of our CREED submittal re: the draft proposal to grant the Edison permit application for "temporary storage" stockpiling of radiated hazardous material. It is also an apology to you and your department.

We would appreciate your attachment of this explanation to the stack of petitions and letters that we submitted.

I speak to the attitudes of those who took empty petition forms and revised them, and asked others to sign them. Some of them initially rejected the task. Some of them have lived their entire lives on the San Onofre nuclear target of the evacuation planning zone. They have become frustrated in their efforts to find regulatory protective agency personnel who seem free of domination by the nuclear industry.

They made comments such as, "What's the use? They won't decide to protect us. Edison is too

powerful." The general consensus seems to be that if the hazard is judged by Edison to be "insignificant," the regulatory officials will decide that it is insignificant. How much weight in the equation is given to the emotional wellbeing of families who are trapped in a situation in which they have, always, the fear submerged in their consciousness that their children and grandchildren may be exposed to the smallest specks of material that may combine with other sources of radio nuclides, lodging in their small bodies to grow cancer or leukemia?

My family lives two miles from San Onofre. Many others of families who are appealing to you for protection, live in the 10 mile evacuation area. We wrap the terror of potential attacks on San Onofre in denial and push it down deep in our consciousnesses. So, the cost of the hours that we devote to our appeals to you is much greater than the value of hours of our lives, given in the effort.

How do you weigh our need for protection from terror against Edison's need to spend less money, so that they can pay their CEO's salary—doubled in January, from one million dollars to two million dollars?

I realize that this is a very heavy and very blunt question that I level at you, and my voicing it does not in any way indicate lack of trust or respect. Yours is a very difficult task. In our hearts there is not a single doubt of the weight of our need as far heavier than the weight of Edison's need. In this terrorist world, it translates to significant impact. No one can provide reasonable assurance that we can be protected by adding 62,250 gallons of terrorist target enhancement to our community.

I apologize for the variety of numbers of Edison quantities of mixed waste. We were given conflicting numbers, and were not able to sort it all out until the last few days, as our formal statement outlines. This experience is an unfortunate example of the confusion of deception in the provision of varying numbers, without explanation. We were at fault in some computation, but were the victims of restricted data.

Now—I offer an apology for the frustrated participants in your public comment session. We have suffered deception and indifference, disrespect and sometimes ridicule. We did not respond properly to your presentation.

***Comment #12-1***

**Several of us have assured others that your strict adherence to the restraints of the Federal Government's pre-emption of authority for assessing impact of nuclear and terrorist hazard is a boon to us. It has provided for us the ridiculous example of the NRC's failed process of state regulation of low-level-radiation, countermanded by Federal agencies that deny the State agencies the necessary data basic to decision making.**

You have given us the material to bring revision of the Federal pre-emption. We can through appropriate legislation, begin to roll back the oppression of the huge military industrial complex by restoring the authority of the California protective agencies to regulate appropriately.

We know that many of our officials in our regulatory agencies are devoted and dedicated to the public needs. If we all resist the Federal encroachment, we may be able to roll-back some small elements of the domination. Full speed ahead!

**Response #12-1:**

In 1962, the State of California ratified and approved an agreement with the United States Atomic Energy Commission, the predecessor of the Nuclear Regulatory Commission (NRC), by which the federal agency discontinued its regulatory authority over certain radioactive materials. By such action California became an "Agreement State" and has regulatory authority to license and regulate byproduct materials (radioisotopes); source materials (uranium and thorium); and certain quantities of special nuclear materials. The NRC, however, maintained regulatory authority over all nuclear power plants in the United States. To avoid regulatory overlap, Title 22, Division 4.5 of the California Code of Regulations, section

66261.4(2), specifically excludes source, special nuclear or by-product material from regulation as a hazardous waste.

DTSC did, however, evaluate under the California Environmental Quality Act (CEQA) the risk from the radioactive components of the mixed wastes. In this regard, NRC data was not necessary for DTSC to reasonably determine the potential radiological risks associated with the proposed DTSC permit. The updated SONGS Fire Hazard Analysis Report (SONGS Report) that is referenced and discussed in the Initial Study, which is based on SONGS data, provides an adequate basis for making this determination. Based on the SONGS Report, DTSC determines that the resulting release of radioactive materials to the environment from reasonably foreseeable saboteur or terrorist-induced upsets would not create a significant hazard to the public. Please see Response #2-6.

**Letter #13**

*Suzanne Fromkin  
3917 Calle Andalucia  
San Clemente, CA 92672  
949-487-6868 phone  
949-487-6898 fax  
<Suzannefromkin@aol.com>*

***Comment #13-1***

**As a resident of San Clemente, I am opposed to allowing Edison to store hazardous waste on the load and ship dock at San Onofre. Please do not allow this dangerous situation.**

**Response #13-1:**

Comment is noted.

**Letter #14**

*Jerry and Carol Collamer  
San Clemente residents  
231 La Paloma,  
CA., 92672  
949-366-9876  
<duckdive1@cox.net>*

Please give us, the near-neighbors of SONGS the benefit of any doubts regarding the slightest margin of error in evaluating additional storage of ever more exposed hazardous waste storage at SONGS. I beg you not to do it.

You are there - we are here.

We are the Epicenter.  
Our children are the Epicenter.

We are "X" marks the spot.

SONGS is our potential Twin Towers, our Ground Zero,  
our own Sitting Duck.

A too tempting target - too hard not to miss.

By every comparison SONGS is anyone's easy mark.

Infinitely more accessible than the Twin Towers with a potential death-fog (post whatever) prevailing over millions of innocent lives, most naive to SONGS negative, everlasting deadly potential.

Which way will the wind blow Mr. Bahm?  
What a terrible gamble to take, your human roll of the dice...for all of us here.

Call me an alarmist, but-is not history our best teacher?

More importantly recent human history?

In 1972 I lived in NYC.  
The year Twin Towers were completed.  
I was one of the 10's of thousands of New Yorkers opposed to ever building those 2 prime real estate Targets.

20 years later, prior to 9-11 even we doubters had

accepted Twin Towers as part of America's indestructible urban landscape. Akin to Mt. Rushmore, or Yellowstone, or the Golden Gate Bridge...but wait! - S.F.'s GG Bridge was of immediate Targeted concern post 9-11.

Horrific as losing a Bridge of that magnitude, it pales in comparison to the long range havoc spread from 1 cracked-open Nuke Plant anywhere, but you know this Mr. Bahm.

Mr. Bahm, you're as concerned a human being as I.

So why must I write this obvious warning - to you of all people?

Mr. Bahm, now in post 9-11 I imagine many tragic scenarios:

1. A coordinated, simultaneous attack on several US Nuke plants.  
That was the 9-11 model. Success rate = 75% SONGS and 2 or 3 or 4 others?  
Fits the terrorist prolific plan Mr. Bahm.

**Comment #14-1**

**2. Catastrophic Earthquake - SONGS claims to be built to withstand a 10 Point shaker...really? SONGS was engineered 40 years ago.**

What if we have a 7.5...and the old engineering calc's are off a Point or two?...and SONGS doesn't disappear from sight but cracks just a bit more than old-school-engineering had planned for back in 1962?

Mr. Bahm, contemplate this bit of ancient wisdom, "I wish I knew then...what I know now."

SONGS is not Rushmore, or the Rock Of Gibraltar.  
SONGS is not solid.  
SONGS is a fallible human invention of pipes and valves and gas and wiring

and concrete walls and liquids and hot-cores  
heavily secured, incased,  
sealed, re sealed and fortified...and like the Twin  
Towers...untested by clever, coordinated, evil,  
human invention.  
Our President states daily "There is evil present."  
Our President warns us Mr. Bahm, "This evil stalks  
America."

Mr. Bahm, our President's clear and present  
warning is meant for all of us.

Me and you Mr. Bahm.

Imagine this Mr. Bahm...what if, in the suitcase of  
each 9-11 terrorist  
they had packed away a tiny nuclear warhead. I  
read of Suitcase-Size-Nukes  
in today's Los Angeles Times newspaper. I can  
only imagine the scary new-nukes gadgetry you  
professionals are advised of.

Imagine 9-11 with the addition of 1 or 2 small  
suitcase nuke's.

Scary enough?  
Sad enough?  
Horrible enough?

Let's reverse the scenario - ram 2 jet plane into a  
nuke-reactor?  
Make sure their topped off with jet fuel.  
Come at the reactor from 2 different directions.  
Come in below radar...or fly way, way, way up  
high...then  
head straight down like a rock.

Maybe they don't even need jets.  
Two single engine Piper Cubs?

**Comment #14-2**

**Say one misses the twin reactors and lands  
smack on top of our new 62,000 gal waste  
material?** Say they both miss their targets  
but slam into the reactor compound anywhere and  
explode in a pre planned ball of inflammable  
gas...and maybe a suitcase nuke or two to boot.  
I'm scared just writing these horrific thoughts.

They're sick thoughts indeed.  
As was every unimaginable 9-11 event.  
As was the blowing up of UN headquarters in  
Baghdad 2 weeks ago.  
As is every and any terrorist attack anywhere small  
or big, on anyone anywhere.

Our Attorney's General warns us on nightly news  
of these possibilities...Mr. Bahm, are you listening?

I sure hear it.

Mr., Bahm...reach deep inside you human, caring,  
American spirit...

Please, don't place more bad stuff here at SONGS.  
I beg you not to.

I was in New York City in 1972 and again post 9-11.  
This last visit  
I stood atop the Viewing Platform gazing down into  
that deep sad hole.

Once the two tallest manmade structures on the  
globe - now one big hole  
dug by two amateur pilots landing their jet aircrafts  
the only way they knew how...crash landings.

That hole took 20 years to become reality.

So I say to you and your many careful colleagues,  
look to the future,  
20 years into the future. Can you predict it?

Then don't put us in anymore of Harm's Way than  
we already are.

Do the right thing Mr. Bahm.  
We need your compassion and your protection  
more than ever before.  
If we can't count on you, a fellow American, who  
can we count on?

Let me put it this way...I wouldn't do it to you and  
your family.

Ever. Under any circumstances.  
Don't be cynical...be human.



It seems in short supply.

A man's actions speaks volumes.

We await your decision.

**Response #14-1:**

Please see Response #2-7.

**Response #14-2:**

Please see Response #2-6.

Letter #15

Karen Speros

President,

OC WAND

No Mailing Address

Creed" <creedmail@cox.net>

Orange County WAND (Women for New Directions) has been a watchdog for SONGS since the early 80's. I asked the NRC for Potassium Iodide at a hearing last year and we are relieved to have it currently in homes, schools and businesses around a small perimeter. We are still concerned with terrorism and security at SONGS, nuclear waste storage and transportation, and the renewal of licenses for all nuclear plants.

**Comment #15-1**

**Until we feel that nuclear energy is a safe, reliable and cost-effective source, we will continue to monitor you.**

**Response #15-1:**

Comment is noted.

Letter #16

Nicholas Hartman

No Mailing Address

Nick" <cruelkidz@cox.net>

I am deeply concerned with the proposal to continue storing nuclear waste at the San Onofre site. The site is extremely close to my house (about

five miles), and also right next to our coastal waters. There are schools near by as well.

**Comment #16-1**

**I am more concerned about the use of Amtrak to transport the hazardous material to the site. This train passes literally twenty yards from where my family and I sit down to dinner every night. Please on behalf of the citizens of this great state please keep our best interest at heart and force Edison to take their waste and dispose of it properly.**

**Response #16-1:**

The mixed waste is transported on trucks by licensed hazardous waste transporters. It is not transported by rail.

Letter #17

"Ellen" <EKingdon@cox.net>

No Mailing Address

**Comment #17-1**

**[Same text as Letter #1]**

**Response #17-1:**

Please see Responses #1-1, #1-2, and #1-3.

Letter #18

Steven Kos

No Mailing Address

[skos@griotgroup.com](mailto:skos@griotgroup.com)

Phone: 949-727-4110 ext. 13

Fax: 949-727-4107

**Comment #18-1**

The local paper informed me that you are soliciting comments about San Onofre and their storage plans. **I feel safe when I say that they should continue to store waste at the facility.**

**Response #18-1:**

Comment is noted.

Letter #19

George Hubner

304 Calle Chueca, San Clemente, 92673

"Creed" <creedmail@cox.net>

**Comment #19-1**

I will not be able to attend the public hearing dealing with toxic waste being stored at San Onofre.

I am very much against that and **urge that the proposed plan be cancelled and withdrawn.**

**Response #19-1:**

Please see Response #9-1.

Letter #20

"Kenny," kenrhode@cox.net

No Mailing Address

**Comment #20-1**

[Same text as Letter #1]

**Response #20-1:**

Please see Responses #1-1, #1-2, and #1-3.

**The following comments (#21-1 through #21-29) were from Southern California Edison (SCE).**

**SCE propose the following changes to the draft Hazardous Waste Facility Permit:**

Letter #21

Brian Metz

Southern California Edison

metzbd@songs.sce.com

Draft Hazardous Waste Facility Permit Changes:

**Comment #21-1**

Page 7, 1<sup>st</sup> paragraph changes:

The South Yard facility-Batch Plant may be accessed by a roadway from the ~~South~~ North or from the West.

**(Change the word South to North)**

**Comment #21-2**

Section A has a total secondary containment capacity of ~~3,600~~ 13,400 gallons. Section B and C share spill berms and have a total secondary containment capacity of ~~11,500~~ 47,000 gallons.

(Change: 3,600 to 13, 400 gallons and 11,500 to 47,000 gallons)

**Comment #21-3**

Page 7, last paragraph changes:

To the west of the SYF-BP is the 119'x130' Multipurpose Handling Facility (MPHF). This structure provides additional shielding to allow for storage of materials and mixed waste and/or combined waste of higher ~~activity~~ radioactivity.

**(Eliminate the word: activity)**

**Comment #21-4**

Page 9, 2. (c) 2<sup>nd</sup> sentence change:

Any treatment or storage of mixed wastes, combined wastes or hazardous wastes not specifically authorized in this Permit and/or by the tiered permit process, is strictly prohibited.

**(Add: and/or by the tiered permit process.)**

**Comment #21-5**

Page 11, under 4 (b)

The Permittee shall submit the certification to the Branch Chief, Standardized Permitting and Corrective Action Branch and shall record and maintain onsite such certification in the facility Operating Record

(Action: This should be moved or eliminated) This requirement can either be achieved via the annual report or incorporated into requirement v.2. The certification requirement is also signed each and every time a mixed waste shipment is made on the manifest.

**Comment #21-6**

Page 11, (5) WASTE MINIMIZATION  
CONDITIONS:

The SB14 looks at hazardous waste which only a small portion is mixed or combined waste.

(Addition: Add sentence to section)

**Comment #21-7**

Page 13, 1<sup>st</sup> sentence change:

~~A 1900-gallon portable tank, used for waste oil storage under Conditional Exemption, is located in Section "A".~~

(Eliminate the first sentence; this is not correct)

**Comment #21-8**

Page 13, 2<sup>nd</sup> sentence change:

A portable oil separator (cone-shaped tank), operating under Conditional Authorization, is located in ~~Section "B"~~ another building.

(Changes: eliminate "Section B" and add "another building"

**Comment #21-9**

Page 13, 3<sup>rd</sup> sentence changes:

Each of the ~~three~~ two sections (A and B) has an 800 gallon sump. ~~and is separated by a minimum 6" high berm to provide secondary containment.~~ Section "C" has a 400-gallon sump. All three sections are surrounded by a minimum 6" high berm to provide secondary containment.

(Changes: change "three" to "two", and add "(A and B)", and add new sentences, "Section "C" has a 400-gallon sump. All three sections are surrounded by a minimum 6" high berm to provide secondary containment.")

**Comment #21-10**

Page 13, 4<sup>th</sup> sentence change:

The total secondary containment capacity for all three sections is more than ~~40,000~~ 60,000 gallons.

(Change: 40,000 to 60,000 gallons)

**Comment #21-11**

Page 13, under MAXIMUM CAPACITY change:  
~~Maximum capacity for each section (A or B) of the SYF-BP is limited to a total of 23,075 gallons of mixed waste and combined waste in drums, containers or 3.5 cubic yard boxes (see Table 8).~~

(Change to: The maximum mixed waste and combined waste capacity limit (gals) for section A and B is 46,150 gallons. Section A is limited to 16,500 gallons and Section B is limited to 29,650 gallons. Types and quantities of containers may vary but at no time will the amount exceed 46,150 gallons. For each metal box that exceeds the quantities listed in Table 8, 220 gallons (or 4x55 gallons drums) will be reduced from the total drum quantities number. Smaller boxes can be used but each box will constitute 220 gallons of solidified waste.)

**Comment #21-12**

Page 13, under WASTE TYPES changes:

All mixed waste or combined wastes are to be stored in sealed containers. All waste within a 3.5 cubic yard or 1.75 cubic yard box will be solid or in a solidified form. ~~More than 50%~~ 20% of the waste generated will be in solid or solidified form.

(Change: Add sentence, " All waste within a 3.5 cubic yard or 1.75 cubic yard box will be solid or in a solidified form", and change 50% to 20%.)

**Comment #21-13**

Page 15, under UNIT SPECIFIC SPECIAL  
CONDITIONS # (3) change:

~~(3) Maximum number and type of containers used to store mixed waste and combined waste are designated in Table 8.~~

(Change to: The maximum mixed waste and combined waste capacity limit (gals) for section A and B is 46,150 gallons. Section A is limited to 16,500 gallons and Section B is limited to 29,650 gallons. Types and quantities of containers may

vary but at no time will the amount exceed 46,150 gallons. For each metal box that exceeds the quantities listed in Table 8, 220 gallons (or 4x55 gallons drums) will be reduced from the total drum quantities number. Smaller boxes can be used but each box will constitute 220 gallons of solidified waste.)

**Comment #21-14**

Page 17, under MAXIMUM CAPACITY change:

~~Maximum capacity is limited to 8,050 gallons of mixed waste and combined waste in drums, containers or 3.5 cubic yard boxes (see Table 8).~~

Change to: The maximum mixed waste and combined waste capacity limit (gals) for the LSAW is 8,050 gallons. Types and quantities of containers may vary but at no time will the amount exceed 8,050 gallons. For each metal box that exceeds the quantities listed in Table 8, 220 gallons (or 4x55 gallons drums) will be reduced from the total drum quantities number. Smaller boxes can be used but each box will constitute 220 gallons of solidified waste.)

**Comment #21-15**

Page 17, under WASTE TYPES change:

All mixed waste or combined wastes are to be stored in sealed containers. All waste within a 3.5 cubic yard or 1.75 cubic yard box will be solid or in a solidified form. More than ~~50%~~ 20% of the waste generated will be in solid or solidified form.

(Change: Add sentence, " All waste within a 3.5 cubic yard or 1.75 cubic yard box will be solid or in a solidified form", and change 50% to 20%.)

**Comment #21-16**

Page 18, Table 5 changes:

(Changes: Add D002, under RCRA Waste Codes; and Corrosive liquid/solid sludge under Description to Table 5.)

**Comment #21-17**

Page 18, under UNIT SPECIFIC SPECIAL CONDITIONS #(1), changes:

(1) Spill control pallets and/or over packs shall be used to provide added secondary containment and separation for corrosive waste.

(Change: Add, "and/or over packs")

**Comment #21-18**

Page 18, under UNIT SPECIFIC SPECIAL CONDITIONS #(2) changes:

~~(2) Maximum number and type of containers used to store mixed waste and combined waste are designated in Table 8.~~

(Change to: The maximum mixed waste and combined waste capacity limit (gals) for the LSAW is 8,050 gallons.

Types and quantities of containers may vary but at no time will the amount exceed 8,050 gallons. For each metal box that exceeds the quantities listed in Table 8, 220 gallons (or 4x55 gallons drums) will be reduced from the total drum quantities number. Smaller boxes can be used but each box will constitute 220 gallons of solidified waste.)

**Comment #21-19**

Page 19, under ACTIVITY DESCRIPTION change:

Containerized mixed waste and combined waste, in sealed containers with radiation levels above 1 REM/hr are placed in the HSAW storage area depending on their waste characteristics and available storage space. To potentially reduce dose, mixed waste and combined waste with less than 1 REM/hr may be stored in the HSAW.

(Change: Add sentence, "To potentially reduce dose, mixed waste and combined waste with less than 1 REM/hr may be stored in the HSAW.")

**Comment #21-20**

Page 20, under MAXIMUM CAPACITY change:

~~Maximum capacity is limited to 8,050 gallons of mixed waste and combined waste in drums, containers or 3.5 cubic yard boxes (see Table 8).~~

(Change to: The maximum mixed waste and combined waste capacity limit (gals) for the HSAW is 8,050 gallons. Types and quantities of containers may vary but at no time will the amount exceed 8,050 gallons. For each metal box that exceeds the quantities listed in Table 8, 220 gallons (or 4x55 gallons drums) will be reduced from the total drum quantities number. Smaller boxes can be used but each box will constitute 220 gallons of solidified waste.)

**Comment #21-21**

Page 20, under WASTE TYPES changes:

All mixed waste or combined wastes are to be stored in sealed containers. All waste within a 3.5 cubic yard or 1.75 cubic yard box will be solid or in a solidified form. More than ~~50%~~ 20% of the waste generated will be in solid or solidified form.

(Change: Add sentence, " All waste within a 3.5 cubic yard or 1.75 cubic yard box will be solid or in a solidified form", and change 50% to 20%.)

**Comment #21-22**

Page 21, under Table 7 changes:

(Changes: Add D002, under RCRA Waste Codes; and Corrosive liquid/solid sludge under Description to Table 5.)

**Comment #21-23**

Page 21, under UNIT SPECIFIC CONDITIONS, #(2) changes:

~~(2) Maximum number and type of containers used to store mixed waste and combined waste are designated in Table 8.~~

(Change to: The maximum mixed waste and combined waste capacity limit (gals) for the HSAW is 8,050 gallons. Types and quantities of containers may vary but at no time will the amount exceed 8,050 gallons. For each metal box

that exceeds the quantities listed in Table 8, 220 gallons (or 4x55 gallons drums) will be reduced from the total drum quantities number. Smaller boxes may be used but each box will constitute 220 gallons of solidified waste.)

**Comment #21-24**

Page 21, under UNIT SPECIFIC SPECIAL CONDITIONS #(3), changes:

(3) Spill control pallets and/or over packs shall be used to provide added secondary containment and separation for corrosive waste.

(Change: Add: condition #3, " (3) Spill control pallets and/or over packs shall be used to provide added secondary containment and separation for corrosive waste.")

**Comment #21-25**

Page 22, Table 8, note changes:

\*Types and quantities of containers may vary but at no time will the total volume be exceeded. ~~Designates maximum number of specified container types used to store mixed waste and combined waste.~~ Any combination of container types is limited to the storage unit's waste volume limit. For each metal box that exceeds the quantities listed in Table 8; a total of 220 gallons (4x 55-gal drums) will be reduced from the total drum quantities number, but ensuring that the waste volume limit for the storage facility is never exceeded.

\*\* The 3.5 yd<sup>3</sup> box represents and equivalent of 220 gallons of solidified mixed waste and combined waste. Smaller boxes may be used but each box will constitute 220 gallons of solidified waste.

(Change: Add, "Types and quantities of containers may vary but at no time will the total volume be exceeded." And delete, "~~Designates maximum number of specified container types used to store mixed waste and combined waste.~~" and add, "For each metal box that exceeds the quantities listed in

Table 8; a total of 220 gallons (4x 55-gal drums) will be reduced from the total drum quantities number, but ensuring that the waste volume limit for the storage facility is never exceeded." Also add to \*\* section, "Smaller boxes may be used but each box will constitute 220 gallons of solidified waste.")

**Comment #21-26**

Page 23, under V 1(d) changes:

(d) The maximum permissible number and type of containers used to store mixed waste and combined waste are designated in Table 8.

(OK provided the following notes are added to the Table 8: If this is a problem than Table 8; 3.5 cubic yard box numbers need to change in the SYF-BP to 100, thus reducing the 55-gallon drum number to 420. Also note that smaller boxes may be used, but 220 gallon conversion factors will be used for these as well.)

Types and quantities of containers may vary but at no time will the total volume be exceeded. ~~Designates maximum number of specified container types used to store mixed waste and combined waste.~~ Any combination of container types is limited to the storage unit's waste volume limit. For each metal box that exceeds the quantities listed in Table 8; a total of 220 gallons (4x 55-gal drums) will be reduced from the total drum quantities number, but ensuring that the waste volume limit for the storage facility is never exceeded.

\*\* The 3.5 yd<sup>3</sup> box represents and equivalent of 220 gallons of solidified mixed waste and combined waste. Smaller boxes may be used but each box will constitute 220 gallons of solidified waste.

**Comment #21-27**

Page 24, under 2(e) changes:

~~A permit modification shall be required prior to waste from any waste stream or waste code not identified in Table 9 exceeding the one-year storage limitation.~~

A permit modification shall be required prior to waste from any waste stream or waste code not

identified within this permit, which will exceed the one-year storage limitation.

(Change: delete "~~A permit modification shall be required prior to waste from any waste stream or waste code not identified in Table 9 exceeding the one-year storage limitation.~~" And add, " A permit modification shall be required prior to waste from any waste stream or waste code not identified within this permit, which will exceed the one-year storage limitation." )

**Comment #21-28**

Page 24, (f) (3) comment:

What is this "**application**"? or can this be accomplished via the semi-annual inventory submittals?

**Comment #21-29**

Page 25, Table 9 changes:

Delete all of Table 9 and refer to Appendix A. If the Table 9 must be mentioned than all dose rates should be eliminated. In actuality as the dose rate increases for any waste stream the disposal options decrease. If a waste stream identified in Tables 2 through 7 had a high dose or high curie content than the need for an extension due to no disposal facility could be required.

If Table 9 needs to be used also

Page 25, table 9 corrections:

For #3 for freon filters add F002

Page 25, table 9 corrections

For #5 for Hydrazine add U133

Page 25, table 9 add:

#10 Aqueous liquids w/metals - D005, D006, D007, D008, D009, D010, D011 - 181, 551

Page 25, table 9 add:

#11 Solids with metals – D005, D006, D007, D008, D009, D010, D011 – 181, 122

Page 25, table 9 add:

#12 Corrosive Wastes - D002 – 181, 122

**Response #21-1:**

A revision has been made to correct the error. There is no material impact on the Draft Permit requirements or conditions.

**Response #21-2:**

The comment is correct per section 4.1 of the Operation Plan. On January 18, 2001 Section A was certified as providing 13,400 gallons of secondary containment capacity, while receiving 50% of a 24-hour, 25-year storm and in spite of being covered by a permanent fixed roof structure. Similarly, sections B and C were certified for a combined secondary containment capacity of 47,000 gallons. The values 3,600 gallons and 11,500 gallons reflected possible reduction in secondary containment due to potentially received rainfall (e.g. no sidewalls) during a blowing 25-year storm event. A revision has been made to reflect the certified secondary containment capacities of 13,400 gallons for section A and 47,000 gallons for sections B and C.

There is no material impact on the Draft Permit requirements or conditions by this correction.

**Response #21-3:**

Correction of deleting the word “activity” has been made. There is no material impact on the Draft Permit requirements or conditions by this change.

**Response #21-4:**

DTSC is aware that SONGS currently operates hazardous waste treatment units under DTSC’s Tiered Permitting System. The Hazardous Waste Facility Permit represents the top tier of DTSC’s permitting system, while Conditional Authorization

and Conditional Exemption permits are referred to as lower tiered units. The lower tiered permits are administered by the Certified Unified Program Agency (CUPA), which for San Diego County is the San Diego County Department of Environmental Health. DTSC has made the following change to the standard permit language:

**(c) The Permittee is permitted to store mixed waste and combined waste generated at the Main Site in accordance with the conditions of this Permit. Any treatment or storage of mixed wastes, combined wastes or hazardous wastes not specifically authorized in this Permit or otherwise authorized by DTSC under Health and Safety Code section 25201 is strictly prohibited.**

**Response #21-5:**

The referenced language and requirements are standard to all Hazardous Waste Facility Permits. DTSC deems that no change to the standard permit language is necessary.

**Response #21-6:**

Waste minimization requirements potentially apply to all facilities in California. Waste Minimization Plans and Reports are only mandated for facilities generating 12,000 kilograms and greater of hazardous waste, or 12 kilograms and greater of extremely hazardous waste a year. The referenced language and requirements are standard to all Hazardous Waste Facility Permits. DTSC deems that no change to the standard permit language is necessary.

**Response #21-7:**

The referenced sentence has been deleted since a 4,900-gallon steel tank located in Section A had been removed. There is no material impact on the Draft Permit requirements or conditions by this deletion.

**Response #21-8:**

The referenced sentence has been revised. The oil separator is not in Section B. However, currently there is an empty 1,900-gallon tank in Section B. The purpose of the tank is to store temporarily emergency waste liquid. There is no material impact on the Draft Permit requirements or conditions. The revision reads "A 1,900-gallon empty tank is in Section B for emergency use to store spillage wastewater."

**Response #21-9:**

The comment is correct per Section 4.1 of the Operation Plan. The correction has been made. Sections A and B, each has an 800-gallon sump, and section C has a 450-gallon sump, instead of 800 gallons. The 6" curb surrounding Sections A, B and C provides a 60,000-gallon containment capacity, more than required capacity. The reduction of 350-gallon containment capacity in Section C sump, comparing to the 60,000-gallon containment is insignificant. Therefore the correction will not have any material impact on the permit.

**Response #21-10:**

See Response #21-2. The correction has been made. There is no material impact on the Draft Permit requirements or conditions by this correction.

**Response #21-11:**

The description makes references to Tables 1 and 8 of the draft Hazardous Waste Facility Permit. These tables provide the hazardous waste volume limits, and the types of containers. The total allowed storage capacity in Section A and Section B is 46,150 gallons. Since Section B is larger than Section A in area (50' by 80', 30' by 60' respectively), more storage capacity will be assigned to Section B. Therefore revision has been made to reflect that section A is limited to 16,500 gallons and Section B is limited to 29,650 gallons. The text has been revised as follows:

"The maximum mixed waste and combined waste capacity limit for Section A and B is 46,150 gallons. Section A is limited to 16,500 gallons and Section B is limited to 29,650 gallons. Types and quantities of containers may vary but the total waste volume in storage at any time shall not exceed 46,150 gallons (See Table 8)"

Both the footnote to Table 8 in the Draft Permit, and Section 4.1 of the Operation Plan indicated that any combination of container types is limited to the storage unit's waste volume. In Table 8, the numbers listed in the column of "Types and Quantities of Containers" is only illustration of typical storage containers used. SONGS, however may use different types and numbers of containers when necessary, but total capacity must not be exceeded.

Table 8 has been revised as follows:

- Column heading has been changed to remove reference to container quantities
- Maximum container quantities for each storage area has been removed.

The Footnote for Table 8 has been revised as follows:

The first sentence has been deleted. The footnotes have been changed to read:

**Note:** \* ~~Designates maximum number of specified container types used to store mixed waste and combined waste.~~ Other types of containers may be used, including 40 cubic yard (yd<sup>3</sup>) roll-off bins in the SYF-BP. Any combination of container types is limited to the storage unit's waste volume limit.

\*\* ~~The A~~ 3.5 yd<sup>3</sup> or 1.75 yd<sup>3</sup> metal box represents an equivalent of 220 gallons of solidified mixed waste and combined waste.

The proposed change is intended to help clarify the facility's operational flexibility in storing in 55-gallon drums or a variety of container types such as roll-



off bins, metal boxes, 30-gallon and 5-gallon containers.

Since the number and size of containers may vary, Special Condition V(d) on the maximum permissible number and type of containers used to store mixed waste and combined waste has been deleted from the Draft Permit.

There is no material impact on the Draft Permit requirements or conditions by this change.

**Response #21-12:**

The percentage of waste in solid form varies. This sentence was only intended to be descriptive and not to specify a fixed solidified percentage. The sentence beginning with "More than..." has been removed to avoid unnecessary confusion.

There was a typographical error in the number of RCRA waste codes. It should be 13, not 14 codes. The paragraph has been revised to read "All mixed waste or combined waste are to be stored in sealed containers. There may be multiple constituents in the wastes such that several waste codes may be packaged in the same container. Combined waste with any of thirty-one California waste codes listed in Table 2 may be stored in the SYF-BP. Mixed waste with any of thirteen RCRA waste codes listed in Table 3 may be stored in the SYF-BP."

There is no material impact on the Draft Permit requirements or conditions.

**Response #21-13:**

See Response #21-11 on Table 8 which has been revised.

Condition #3 makes reference to Table 8 which summarizes the storage limits for each of the three mixed waste storage units. The proposed language does not change the allowed total capacity of 46,150 gallons and is a restatement of the permit limits reflected in Table 8.

Condition #3 has been revised to read as

"The maximum mixed waste and combined waste capacity limit for Section A and B is 46,150 gallons. Section A is limited to 16,500 gallons and Section B is limited to 29,650 gallons. Types and quantities of containers may vary but the total waste volume in storage at any time shall not exceed 46,150 gallons (See Table 8). Each metal box used is equivalent to 220 gallons (or four 55-gallons drums)."

There is no material impact on the Draft Permit requirements or conditions.

**Response #21-14**

See Response #21-11 on Table 8.

The description makes reference to Table 8 which summarizes the storage limits for each of the three mixed waste storage units. The proposed language does not change the allowed capacity of 8,050 gallons and is a restatement of the permit limits reflected in Table 8.

The revision has been made to read "The maximum mixed waste and combined waste capacity limit for the LSAW is 8,050 gallons. Types and quantities of containers may vary but the total waste volume in storage at any time shall not exceed 8,050 gallons (see Table 8)."

There is no material impact on the Draft Permit requirements or conditions.

**Response #21-15:**

See Response #21-12. The paragraph has been revised to read "All mixed waste or combined waste are to be stored in sealed containers. All waste within a 3.5 cubic yard or 1.75 cubic yard box shall be solid or in a solidified form. There may be multiple constituents in the wastes such that several waste codes may be packaged in the same container. Combined waste with any of thirty-one California waste codes listed in Table 4 may be stored in the LSAW. Mixed waste with any of thirteen-RCRA waste codes listed in Table 5 may

be stored in the LSAW . See waste stream description in Appendix A.”

There is no material impact on the Draft Permit requirements or conditions by these changes.

**Response #21-16:**

The LSAW allows for the storage of corrosive solutions via the California waste codes listed as 122, 123, 131, 791, 792 in Table 4. However, the federal equivalent code D002 was not included in Table 5. To correct this DTSC has added D002 to Table 5. The unit now can handle 13 RCRA waste codes, instead of 12 RCRA waste codes.

There is no material impact on the Draft Permit requirements or conditions.

**Response #21-17:**

The proposed language is accepted as it better clarifies the activity. The over packs will provide added separation. The correction has been made. There is no material impact on the Draft Permit requirements or conditions.

**Response #21-18:**

Please see Response #21-11 on Table 8.

Condition #2 makes reference to Table 8 which summarizes the storage limits for each of the three mixed waste storage units. The proposed language is a restatement of the permit limits reflected in Table 8. The revision has been made to read “The maximum mixed waste and combined waste capacity limit for the LSAW is 8,050 gallons. Types and quantities of containers may vary but the total waste volume in storage at any time shall not exceed 8,050 gallons (see Table 8). Each metal box used is equivalent to 220 gallons (or four 55-gallons drums).”

There is no material impact on the Draft Permit requirements or conditions.

**Response #21-19:**

The comment is to describe that SONGS stores mixed waste in HSAW even when the radioactivity is below 1 REM/hr. This is to reduce SONGS worker exposure to radioactivity to as low as reasonably achievable (ALARA) and to provide worker safety as much as practical.

A sentence has been added to read “To potentially reduce worker exposure to radioactivity to as low as reasonably achievable, mixed waste and combined waste with less than 1 REM/hr may be stored in HSAW.” There is no material impact on the Draft Permit requirements or conditions.

**Response #21-20:**

See Response #21-11 on Table 8. The description makes reference to Table 8 which summarizes the storage limits for each of the three mixed waste storage units. The proposed language is a restatement of the permit limits reflected in Table 8.

The revision has been made to read “The maximum mixed waste and combined waste capacity limit for the HSAW is 8,050 gallons. Types and quantities of containers may vary but the total waste volume in storage at any time shall not exceed 8,050 gallons (see Table 8).”

There is no material impact on the Draft Permit requirements or conditions.

**Response #21-21:**

Please see Response #21-12. The paragraph has been revised to read “All mixed waste or combined waste are to be stored in sealed containers. There may be multiple constituents in the wastes such that several waste codes may be packaged in the same container. Combined waste with any of thirty-one California waste codes listed in Table 6 may be stored in the HSAW. Mixed waste with any of thirteen RCRA waste codes listed in Table 7 may be stored in the HSAW. See waste stream description in Appendix A.”

There is no material impact on the Draft Permit requirements or conditions.

**Response #21-22:**

The HSAW allows for the storage of corrosive solutions via the California waste codes listed as 122, 123, 131, 791, 792 in Table 6. However, the federal equivalent code D002 was not included in Table 7. The waste code has been added to Table 7. There is no material impact on the Draft Permit requirements or conditions.

**Response #21-23:**

See Response #21-11 on Table 8. The condition makes reference to Tables 1 and 8 which summarize the storage limits for each of the three mixed waste storage units. The proposed language is a restatement of the permit limits reflected in Table 8. The revision has been made to read "The maximum mixed waste and combined waste capacity limit for the HSAW is 8,050 gallons. Types and quantities of containers may vary but the total waste volume in storage at any time shall not exceed 8,050 gallons (see Table 8). Each metal box used is equivalent to 220 gallons (or four 55-gallons drums)."

There is no material impact on the Draft Permit requirements or conditions.

**Response #21-24:**

Condition has been added to be consistent with the operation condition for LSAW. The added permit condition ensures better spill control and there is no material impact on the Draft Permit requirements or conditions.

**Response #21-25**

See Response #21-11 on Table 8. The proposed change does not change the allowed total storage capacity and the new language is a restatement of the footnotes, which clarifies and better elaborates on the intended operational flexibility. There is no

material impact on the Draft Permit requirements or conditions.

**Response #21-26**

See Response #21-11 on Table 8. The condition V.1(d) has been deleted as it repeated the special conditions listed under each unit. There is no material impact on the Draft Permit requirements or conditions by this change.

**Response #21-27:**

Appendix A in the Draft Permit is a complete list of all mixed and combined waste currently authorized for storage at SONGS. Table 9 in the Draft Permit listed waste streams that SONGS had stored for greater than one-year, as well as other waste streams potentially needing storage extensions due to limited off-site treatment and disposal capacity.

Since the public notice of the draft Hazardous Waste Facility Permit, SONGS has been able to ship, for off-site treatment, all wastes stored in excess of one-year. Currently there is no waste needing extended storage. Table 9 has been deleted.

Additionally, Condition V.2(e) has been deleted because it is unnecessary and Condition V.2.(f) has been modified accordingly (see Response #21-28).

The California Code of Regulations requires SONGS to submit a permit modification request to DTSC before SONGS may store any waste streams or waste codes not listed in Appendix A in the permitted units. Condition V.2.(f) has been renumbered V.2(e)

~~For any new waste streams, or waste codes not identified in Appendix A, SONGS shall submit a permit modification request for DTSC's approval per Section 66270.42, Title 22, California Code of Regulations, prior to storing any new waste streams or waste codes for greater than one year. The public will have opportunities to comment on the DTSC's environmental analysis on the new waste stream.~~

**Response #21-28:**

The application referred to in section (f)(3) of Part V Special Conditions refers to the Storage Extension Request. The Storage Extension Request is to identify and evaluate the waste, the quantity of waste and the difficulty in finding adequate disposal options.

Condition V.2. f (3) was moved up into (f) because condition (3) is not something that is to be included in the request. Condition V.2.(f) has been revised to read "The Permittee is required to submit a Storage Extension Request to DTSC no later than sixty (60) days prior to exceeding the one year storage limitation for any waste placed into the designated storage areas. Within 45 days of the receipt of the extension request ~~extension~~, DTSC shall inform the Permittee in writing if ~~that~~ the request is deficient and identify the specific information required. DTSC shall make a decision on the extension request within 120 days of the filing of a completed request. The Permittee shall be deemed to be in compliance with the storage time limit while the application is pending review by DTSC, unless the extension is considered to be a permit modification. The Storage Extension Request shall include:

- (1) The description of waste streams, waste codes, quantities, one-year storage expiration date, projected shipment date, and container identification of each waste container that will exceed the one year storage limitation;
- (2) The justification or statement of basis for requesting extended storage. The Permittee shall demonstrate the efforts being made to comply with the one-year storage requirement.

DTSC has substituted "if" for "that" in the second sentence because not all submissions are expected to be deficient. To promote efficient enforcement, the added sentence clarifies SONGS compliance status should DTSC's review of a timely submission by SONGS extend past the one year storage limit. DTSC revised the "request extension" to "extension

request" to correct typographical error. DTSC deleted "unless the extension is a permit modification" because it is unnecessary. The California Code of Regulations requires SONGS to submit a permit modification request to DTSC before SONGS may store any waste streams or waste codes not listed in Appendix A in the permitted units.

There is no material impact on the Draft Permit requirements or conditions.

**Response #21-29:**

Table 9 was to describe all waste streams allowed in the storage areas. The information in Table 9 was similar to Appendix A, therefore, Table 9 has been deleted. The reference to Table 9 in Special Condition V.2.(b) of the Draft Permit has been deleted.

**THIS IS THE END OF THE COMMENTS FROM SCE-SONGS. THE FOLLOWING COMMENTS WERE RECEIVED FROM THE PUBLIC.**

Letter #22

Thomas J Pezman  
213 W. Avenida Cordoba  
San Clemente, CA. 92672  
<z@fea.net>

My family and I live work and play within three miles of the Edison power plant. My wife teaches school at San Onofre School a stones throw from the Nuclear Reactors and their proposed storage of radio active waste. I write you in opposition to their request to store more radio active materials.

As a resident of San Clemente for more than twenty five years, I have watched the area grow beyond the ability of the road infrastructure to allow us, on any day of the week, to get out of town without significant delay do to gridlock.

**Comment #22-1**

**Of concern is our probable inability to evacuate under emergency conditions, should any type of accident occur.** And, while our town does have

an evacuation plan, anyone who lives here and has reviewed the plan would laugh out loud at the assumptions it makes.

**As an example, two weeks ago there was an auto wreck on the south bound side of the freeway within city limits. It took me over three hours to travel the four miles from my office to my home due to the people detouring on to city streets trying to escape the freeways gridlock. It was untenable, and should cast a doubtful shadow over any plan Edison has, based on existing traffic analysis. The day to day reality of living and working in close proximity to such hazardous material simply should not be overlooked or brushed aside. This type of facility no longer belongs in such a densely populated area, particularly in light of existing traffic conditions.**

**Response #22-1:**

The SONGS Emergency Response Plan establishes Southern California Edison's response to emergencies at SONGS to ensure protection of the general population. Southern California Edison coordinates its response to emergencies with local, state and federal agencies and routinely practices emergency response with those agencies. The role of SONGS in offsite protective actions is to provide agencies with timely notification of emergencies, appropriate recommendations for protective actions, appropriate accident assessment data and data from offsite monitoring performed by SONGS personnel. The physical and administrative means for alerting and warning the population of an incident at SONGS has been provided and is periodically tested. This system involves alerting the population via the Community Alert Siren System. The evacuation procedures in the Emergency Response Plan address all contingencies, including releases from the site.

The Initial Study determined that, even in the event of a release from the hazardous waste storage facility, there would not be a need for evacuation.

**Letter #23**

M. G. Percy

**No Mailing Address**

mgp <mgp@mariposagrp.com>

Hi - As a person that has worked in the nuclear industry with the appropriate clearances at Oakridge -

I urge the California Environmental Protection Agency Department of Toxic Substances Control to deny the permit to Edison to store their hazardous waste on the open-air, load and ship, dock area of San Onofre.

**Comment #23-1**

In the current state of potential terrorist activity the exposure of even the small annual amount of 500 gallons of waste at an open-air, load and ship, dock area is simply unsafe.

To permit the storage of large accumulated amounts, over ten years, to a possible 62,250 gallon stockpile would be criminally negligent.

**Comment #23-2**

I would suggest that DTSC consider expediting the current load and ship policy to remove the material, from San Onofre, to a more secure facility where it may be stored and eventually neutralized as the techniques are developed.

**Response #23-1:**

SONGS generally generates 200 gallons per month of mixed waste for storage. The capacity of 62,250 gallons is anticipated only when SONGS conducts major plant maintenance once every three or five years.

**Response #23-2:**

Please see Response #4-1

**Letter #24**

Eugene N Cramer

2176 Via Teca

San Clemente CA 92673

Gene <marc832@mindspring.com>

Phone/fax (949) 498-5773

<<mailto:marc832@primenet.com>>

**Comment #24-1**

Citizens expressed concern at the California State Mixed Waste hearing on 8 September, that **earthquakes and terrorists and floods would release this waste**, so they want the waste to be stored under the nearby mountain reachable through a tunnel under Interstate 5 and the Railroad.

I realized that I had no point of reference as to whether the amount for San Onofre mixed waste was good/bad. So I attempted to find out what waste is in the City of San Clemente now, which could be released with a flood, fire, or earthquake. I couldn't find any such database on your website!!!

So I began an estimate with a good look in the garage, kitchen, laundry and bathrooms of my home, focusing on containers labeled dispose of safely.

Fortunately I don't have to get a permit for the half filled cans and bottles of cleaning solutions, paint, solvents, bug killers etc—it would easily total at least one 55-gallon barrel. Probably there are at least 1,000 barrels (55,000 gallons) of ordinary hazardous material in all other San Clemente homes and apartments.

But there are many signs on San Clemente businesses that have chemical toxic materials stored within. How to evaluate them?

**Comment #24-2**

**1) I'd like to know how many business establishments within the City limits have State permits or exceptions, etc, for chemical/toxic materials for:**

- a) solvents,**
- b) petroleum products, including gasoline, and**
- c) other toxics.**

**Comment #24-3**

**2) I'd like to know how many business establishments within the City limits have State permits or exceptions, etc, for chemical/toxic materials exceeding 550 gallons (10) barrels for:**

- a) solvents,**
- b) petroleum products, including gasoline, and**
- c) other toxics.**

**Comment #24-4**

**3) I'd like to know how many business establishments within the City limits have State permits or exceptions, etc, for biological hazards. Also what are the amount limits.**

**Comment #24-5**

**4) Have these given any major problems?**

**Comment #24-6**

**5) Just how radioactive are the San Onofre barrels? What are the shipping limits of these barrels?**

**Response #24-1:**

The Initial Study analyzed the impacts from potential seismic ground shaking, ground failure, and landslides (Category #6, Geology and Soil); the impacts from releases due to fire or explosion (Category #7, Hazards and Hazardous Materials), and the impacts from flood and tsunami (Category #8, Hydrology and Water Quality). The two mixed waste storage buildings are located more than 2,000 feet from an active fault and have been certified to meet the Uniform Building Code 2000. A Design Basis Probable Maximum Flood (PMF) analysis was performed. SONGS built a source diversion structure which routes runoff from the foothill drainage area into the San Onofre Creek Basin. The diversion structure was documented in "Probable Maximum Flood Berm Drawings and Ion Exchange Analysis," dated April 9, 2001. The U.S. Army Corps of Engineers, Los Angeles District, concluded that the diversion structure was designed and constructed to mitigate the flooding

potential in this area to the PMF level. This indicates that the 100-year flood plain from the source does not impact the mixed waste storage areas.

The Initial Study analysis concludes that because of the design and operation of mixed waste storage buildings, and the low concentrations or low quantities of hazardous constituents, even if a release should occur, the impact would be insignificant.

**Response #24-2:**

Hazardous materials such as mentioned in the comments are regulated by the Orange County Fire Authority (OCFA). For further information please call Ms. Chris Boyd of OCFA at 714-573-6251.

**Response #24-3:**

Please see Response #24-2.

**Response #24-4:**

DTSC assumes that biological hazards means biological agents and toxins. The U.S. Centers for Disease Control and Prevention (CDC) is required to regulate the possession of biological agents and toxins that have the potential to pose a severe threat to public health and safety. CDC's Select Agent Program oversees these activities. The Select Agent Program currently requires registration of facilities including government agencies, universities, research institutions, and commercial entities. More detailed information can be obtained by contacting CDC via email at [lrsat@cdc.gov](mailto:lrsat@cdc.gov), phone at 404-498-2255 or fax at 404-498-2265. Two web addresses that may offer more information on bio-agents and bio-terrorism are [www.cdc.gov/od/sap](http://www.cdc.gov/od/sap) and [www.bt.cdc.gov](http://www.bt.cdc.gov)

**Response #24-5:**

Please contact both Orange County Fire Authority and U.S. CDC for information. Please see Responses #24-2 and #24-4.

**Response #24-6:**

The average radioactive dose rate at a 3-foot (1-meter) distance for the mixed waste drums is less than 0.5 millirem/hour.

Transportation of mixed waste is regulated by the Department of Transportation, in conjunction with the federal Nuclear Regulatory Commission and the U.S. Environmental Protection Agency.

Barrels shipped from San Onofre can vary in radioactivity and dose rate. However, when shipped offsite the barrels can not exceed the radiation limits specified in Department of Transportation regulations 49 CFR 173. Department of Transportation regulation 49 CFR 173.441 states, with certain exceptions, that each package of radioactive materials offered for transportation must be prepared for shipment, so that under conditions normally incident to transportation, the radiation level does not exceed 200 millirem per hour at any point on the surface of the package, and the transport index dose not exceed 10 (i.e., 10 millirem per hour at one meter).

The average person in the United States receives 360 millirem/year including medical procedures. For a chest x-ray the typical dose received is 10 millirem per film; or for a flight from Los Angeles to New York, the dose received is 5 millirem.

*Letter #25*

*Steve Perusse*

*No Mailing Address*

*<sperusse@homeloanfunding.com>*

**Comment #25-1**

**No. It should not be stored at San Onofre. Maybe they can send it to Nevada they like nuclear waste there.**

**Response #25-1:**

Comment is noted.

*Letter #26*

*Alice Saltzman, Ph.D.*

*3273 Indiana Ave.*

Costa Mesa, CA 92626

<alice@paratec.com>

I have great fear about the danger of the proposal to store toxic waste at San Onofre Nuclear Generating Station. Nuclear plants are targets for terrorist attacks and this makes it much more deadly to the population living in the area.

**Comment #26-1**

**Please do not let Edison endanger our lives any more than they do already by having nuclear plants at all.**

**Response #26-1:**

Comment is noted.

Letter #27

Paula Bruce

No Mailing Address

<librarian4oc@yahoo.com>

I would like to express my concern over So Cal Edison's current request for a permit to store thousands of gallons of mixed hazardous waste on the load and ship area at the San Onofre Nuclear Power Plant. This presents a serious danger to the environment and the lives of those living in at least a 50 mile radius of the plant, especially with heightened terrorist threats since 9/11.

**Comment #27-1**

**I strongly oppose this permit and feel other less vulnerable and dangerous options should be found.**

**Response #27-1:**

Comment is noted.

Letter #28

Bruce Lazenby, Cheryl Lazenby

No Mailing Address

Bruce Lazenby@hotmail.com

We are very much opposed to the storage of radioactive material at the power plan.

**Comment #28-1**

**So. Cal. Edison should develop a process to dispose of this stuff directly and not store additional material in a populated area regardless of the safety precautions.**

**Response #28-1:**

Please see Response #4-1

Letter #29

Bill Gekler

562-431-0256

<Wgekler@aol.com>

I wish to register my support for the current methods of storing and handling mixed waste at SONGS.

**Comment #29-1**

**It has been thoroughly evaluated by both the utility and the NRC and is monitored by both organizations. To date there have been no problems. Further all of the opponents at your recent hearing failed to offer any real rational reasons for questioning the safety of the ongoing activities.**

I believe the objectors are all in need of reading "Alligator Under My Bed." Paranoia or fear of the poorly understood isn't a valid reason to stop a safe activity otherwise they would not drive automobiles which kill roughly 50,000 people each year and in the 30 or so years of the nuclear power industry, 1,500,000 people.

**Response #29-1:**

Comment is noted.

Letter #30

Rod & Maureen Ohnstad

2841 Calle Heraldo

San Clemente, CA 92673

We live in San Clemente and have for sixteen years. Coming to live close to a nuclear power plant was not something we wanted to do, but family living close meant so much so we did. Never did we have a thought of how bad this was and how we



never have a day without thinking about how sad that anyone could think putting in a power plant meant a dump for so much stuff so hazardous and that will be forever and on and on and now more 62,250 gallons more!! This was as we can see never a thought years ago when starting this that you would have wastes and how it would not have a place to put it as years passed. We cannot have waste in our home pile up or in the years and it not nuclear. You watch the things put in the drains, etc. We live in a time of stress and now terrorists can and have made our wonderful USA a new kind of world. We have six grand children, two live a mile from us in San Clemente. My heart is upset each time I look at them and know one day when we are long gone they will still have this mess at San Onofre and their children and on and on! Stop now before we all have a nightmare and you will have to look back and know how badly you made the lives of so many!

This should be a it's a no place to put this mess and it's so sad. And time we see you think!!!

I hope God will help you know this a now thing, not a put off thing. And please know we love San Clemente and Calif and the USA and hope you will think of all of us who want San Onofre closed down and all the waste far away no matter how much it costs.

Hope you think and know we are watching and praying it has a way out!!

**Comment #30-1**

**\*No to 62,250 gal more and no more ever!!!**

**Response #30-1:**

Comment is noted

Letter #31

Vann Hurst  
c/o Mario H. Orso, Chief  
Development Review Branch  
Department of Transportation  
District 11  
P, O, BOX 85406, MS-50  
San Diego, CA 92186-5406

Phone (619) 688-6954

FAX (619) 688-4299

SCH 2003081068

Draft Mitigated Declaration (DMD) for the Hazardous Waste Facility Permit for Southern California Edison San Onofre Nuclear SCH 2003081068.

The Department of Transportation (Department) has the following comments:

**Comment #31-1**

**The traffic section of the environmental document does not indicate which routes will be used to transport the waste materials.**

**Comment #31-2**

**The traffic data referred to in the document is outdated and not representative of existing conditions.** The information must be updated to accurately address traffic volumes and congestion and how they relate to highway design features.

Close coordination with Caltrans is encouraged. If you have any questions, contact Vann Hurst, Development Review Branch, at 619-688-6976.

**Response #31-1:**

The RCRA Part B application provides traffic information. Principally, traffic from SONGS uses the Basilone Road ramps to U.S. Interstate 5.

**Response #31-2:**

While the general traffic on Interstate 5 has increased over the years the actual frequency of mixed waste shipments at four (4) to eight (8) shipments per year has remained fairly constant.

Letter #32

Elliot Bell  
Dana Point, Ca.  
<elbell@surfside.net>

**Comment #32-1**

**Please register our dismay over Edison's plan to store mixed hazardous waste on their loading docks.**

**Response #32-1:**

Comment is noted.

Letter #33

*Beverly Halverso*

*643 Vista Valinda, San Clemente*

*Phone: 949-361-0320*

I am writing as a private citizen and resident of San Clemente. I am concerned about the proposed increase in the storage of mixed waste on-site at San Onofre.

**Comment #33-1**

**I would like to request that an analysis be done of the Feasibility of temporarily storing this material underground in the new pass behind Camp Pendleton.**

**Response #33-1:**

Please see Response #8-1

**ORAL COMMENTS FROM THE PUBLIC HEARING:**

During the public comment period a workshop and public hearing were held to offer more details about the hazardous waste facility, the draft hazardous waste facility permit and draft Negative Declaration. During the public hearing on September 8, 2003, DTSC, using a court reporter, received the following comments from the public. These comments and responses are numbered starting with the letter "H" to denote that it was a comment from the Hearing. The first speaker is designated H1, the second is H2, and so forth.

**H1 G. WAYNE EGGLESTON:** City Councilman, San Clemente.

**Comment #H1-1**

I would like to extend an invitation to SONGS to come to our next city council meeting and make a

10-minute presentation of what you plan to do because this is really an added dimension from what we had before. It would not be a public hearing, just a presentation. I think some of the slides with regard to the facility itself would be very helpful, so I invite you to come.

**Response #H1-1:**

Comment is noted. Ray Golden is available at the SCE Nuclear Communications office at (949) 368-9880 or by email ([goldenrr@songs.sce.com](mailto:goldenrr@songs.sce.com)).

**H2 KATHLEEN MC CARTHY**

**Comment #H2-1**

If anything, instead of storing more of it, we should be transporting it and shipping it away. It's going to have to go some day anyway. So for me, it's the sensitivity of being near the largest body of water in the world, the Pacific Ocean. And you know, why store more toxic waste right on the edge of the coast? Let's take it away. Not keep it here.

**Response #H2-1:**

Please see Response #4-1.

**H3 JERRY COLLAMER**

**Comment #H3-1**

The question I ask is do you mean that the stuff is stored in concrete slabs in those containers and is solidified in those containers or is it liquid at whatever state it is?

**Comment #H3-2**

And then the other question I have is it the material that's stored there, am I understanding correctly that it's all generated at the plant; in other words, this is waste material from the plant? The freon and all that stuff stored at the plant is only generated at the plant?

**Comment #H3-3**

I would rather we didn't store that stuff on site.

**Response #H3-1:**

The physical characteristics of mixed waste can be solid, liquid or a combination of both. The adding of solidification media is sometimes done during the generation of the waste, but will depend on the particular disposal facility that the waste will be sent to.

The wastes stored in the drums can be solid waste, e.g. contaminated asbestos, paint chips, or liquid wastes solidified with cementitious or pozzolonic materials, or containerized liquids such as oily sludge, antifreeze, etc. Appendix A of the Permit has a description of the wastes.

**Response #H3-2:**

The wastes in storage are generated only by SONGS.

**Response #H3-3:**

Comment is noted.

**H4 EUGENE CRAMER**

**Comment H4-1**

Have there been any incidents or spills in this mixed waste portion of the storage facility? What were the results of any mixed waste incidents or spills?

**Response #H4-1:**

There have been no incidents or spills at the mixed waste storage areas.

**H5 JULIANNE HOLZSCHUH**

**Comment #H5-1**

Most of the time there really isn't that much waste there, the increased amount is simply for the maintenance of the facility. So I think that there should be like, a certain time limit for whenever they do have that much waste there, just truck it really fast instead of allowing it to accumulate over time. That would—and since they do already hold

that much there, well, it's less than half. I don't think it would be that much of an increased difficulty. But since there is that much there, it should be trucked off faster.

**Comment #H5-2**

And I noticed that there was a great proximity of the nuclear power plant to the coast. I would like to know what happens if there's like a flood or something that would perhaps carry the drums out to the ocean?

**Comment #H5-3**

And if there could be some walls or something just around it that would prevent such a thing from happening. You know, all that waste getting washed out to the ocean would be very hazardous in the ocean as we've seen in Alaska with the oil spills.

**Response #H5-1:**

It is correct that most of the time there isn't that much mixed waste, but the regulations require that if a waste is stored longer than 90 days then a storage permit is obtained. During the maintenance activities, which may generate a larger amount of waste, all the waste must be prepared, profiled, surveyed, packaged and shipped. To ensure the public safety and environmental and radiological compliance, the process may and often times does, take longer than the 90-day limit, hence the need for the storage permit.

SONGS generally generates 200 gallons per month of mixed waste for storage. The capacity of 62,250 gallons is anticipated only when SONGS conducts major plant maintenance once every three or five years.

**Response #H5-2:**

The physical location of the mixed waste storage areas and the fact that the areas are in excess of 100 feet above sea level, and the containers are within locked and fenced facilities with secondary containment, make this a highly improbable occurrence.

The Initial Study analyzed the impacts from flood and tsunami (Category #8, Hydrology and Water Quality). A Design Basis Probable Maximum Flood (PMF) analysis was performed. SONGS built a source diversion structure which routes runoff from the foothill drainage area into the San Onofre Creek Basin. The diversion structure was documented in "Probable Maximum Flood Berm Drawings and Ion Exchange Analysis," dated April 9, 2001. The U.S. Army Corps of Engineers, Los Angeles District, concluded that the diversion structure was designed and constructed to mitigate the flooding potential in this area to the PMF level. This indicates the 100-year flood plain from the source does not impact the mixed waste storage areas.

**Response #H5-3:**

DTSC assumes the comment was on the drums in the SYF-BP. The SYF-BP had a 6-inch to 12-inch berm around the building. The SYF-BP location will also prevent the drums from being washed out to the ocean.

**H6 MICHELLE J. MC CARTHY**

**Comment #H6-1**

I would like to know how many people you interviewed, what dates those were posed at and whether you were biased as to the age groups of those you interviewed and how come was I not informed of this?

**Comment #H6-2**

I heard you sent 270 people fact sheets. In case you're not aware of the population of San Clemente, that's a very small ratio compared to people that live here.

**Comment #H6-3**

Annual inspectors once a year? I'd like to know how many times a year.

**Comment #H6-4**

Where is the security? There are no issues addressing security.

**Comment #H6-5**

This looks like a storage facility above ground. I'd like to know how thick the cement walls are, the fire breaks, that sort of thing

**Comment #H6-6**

And as far as the toxic material being solidified in concrete? Just like the mafiosos once tried out, cement blocks sink. What about in the event of natural catastrophe, natural disaster, earthquake? What if we lose half a cliff? Not to be a pessimist or anything, that would go to the bottom of the ocean and that bothers me.

**Comment #H6-7**

You mentioned receptor sites. Does that mean that those are affected? If so, you mentioned within one mile to three mile residents; however, you mentioned within seven miles Samaritan Hospital; therefore, would that not include all the people living between the power plant and the seven-mile stretch of Samaritan Hospital? I'd like that addressed as well.

**Comment #H6-8**

We were not given accurate numbers as far as what ratios the barrels consist of.

**Comment #H6-9**

I read in the packet that the facility allows up to 67 something gallons of waste as far as storage, for a two to three cleaning or shipping out time periods. I would be very interested to find out if this is not an agenda to sometime in the future apply for a permit that would allow for a permanent facility for storage. I don't believe anything is temporary. San Clemente has not remained a temporary beach town, it's growing dramatically.

As far as the information that the public needs to know about these chemicals, hazardous waste, be it waste in your garage, is just as dangerous as nuclear reactive substances. The effects are different.

**Comment #H6-10**

The other thing that you mentioned was your conclusion in—one of the results was that there

was no problem, there's no negative side effects or not substantial side effects. Well, which one is it? Because when someone gives me a definite "no" and then backs it up with an "or possibly," it means they're trying to cover some kind of track and I don't buy it.

**Response #H6-1:**

DTSC interviewed three people on July 11, 2002 and July 25, 2002. We contacted people we knew to have a strong interest in SONGS, as well as local agency officials. Age was not a factor in our selection. These community interviews were only to help us plan how best to meet the concerns and information needs of the community when preparing the fact sheet and announcing the public comment period for the Draft Permit. The interviews were not part of DTSC's decision-making process regarding the draft permit.

**Response #H6-2:**

The mailing list of more than 200 names and addresses was compiled from a list of people who have previously contacted DTSC or SCE with concerns or questions about the site, residents who live closest to the plant, and key contacts such as elected officials and government agencies who may have an interest in or be affected by the plant operations. Site mailing lists generally do not include the entire population of the town or city nearest the site though it does include the names of those who added their names to the public meeting/hearing sign-up list and/or gave written and oral testimony.

**Response #H6-3:**

DTSC inspects SONGS once a year as a routine inspection. However, if there are any complaints, DTSC will conduct a complaint-related inspection.

**Response #H6-4:**

Section 2.1.3 in the Operation Plan discusses security. The following is an excerpt from this section:

"Access control for the San Onofre Nuclear Generating Station is provided by security fencing and guarded or locked gates around all 'vital' areas /equipment"

Southern California Edison is required to have a physical security plan and measures in place as a condition of the operating licenses from the Nuclear Regulatory Commission and in accordance with federal regulations. The majority of this information is not available for public distribution to avoid compromising the security measures.

**Response #H6-5:**

There are three separate storage areas for mixed waste. The SYF BP Mixed waste storage area has a roof and has a totally self-contained, reinforced concrete floor approximately 6 inches thick, with a firewall running across the area that is also 6 inches thick. The Multi-purpose Handling Facility HSAW and LSAW areas are within a totally self-contained building with reinforced concrete walls approximately two feet thick.

**Response #H6-6:**

The physical location of the mixed waste storage areas and the fact that the areas are in excess of 100 feet above sea level, and the containers are within locked and fenced facilities with secondary containment make this a highly improbable occurrence. As would be the case in any spill to the environment that result from a natural disaster, a recovery/remediation plan would be implemented in cooperation with many State and Federal agencies. Also please see Response #H5-2.

**Response #H6-7:**

The term "receptor" in DTSC's technical presentation included the environment surrounding SONGS, nearby residents, and sensitive land use such as beaches, daycare, and hospital.

**Response #H6-8:**

DTSC included nine (9) tables and one appendix in the Draft Permit to clearly identify waste types and volumes managed in the mixed waste storage areas. On average the number of solid containers is in excess of 20% of the mixed waste in storage.

**Response #H6-9:**

There is no agenda to allow SONGS to store mixed waste permanently. SONGS generally generates 200 gallons per month of mixed waste for storage. The capacity of 62,250 gallons is anticipated only when SONGS conducts major plant maintenance once every three or five years. Extension is allowed only when disposal options or capacity become difficult nationwide.

The presence or absence of this temporary storage facility would have no effect on a hypothetical future request for permanent storage. Any request for a permanent hazardous waste storage facility would require SONGS to prepare a new permit application, which would have to undergo the same extensive DTSC review as any other facility. It would also require extensive public review and comment.

The wastes generated by SONGS are regulated as hazardous wastes because if they are not managed properly they will pose hazards to the environment and public. However, the management practices, waste volumes and concentrations at SONGS make the impacts insignificant.

Please see Response #2-1.

**Response #H6-10:**

DTSC's Initial Study analyzed 16 environmental resource categories. Each category is assigned four levels of impact: Potentially Significant, Potentially Significant Unless Mitigated, Less Than Significant Impact, or No Impact. These four levels are based on the California Environmental Quality Act (CEQA) and its guidelines. Twelve (12) out of the 16 categories of the SONGS Initial Study had "No Impact." Only four (4) out of the 16 categories, i.e., Air Quality, Hazards and Hazardous Materials,

Hydrology and Water Quality, and Transportation and Traffic had "Less than Significant Impact."

Based on the analysis contained in the Initial Study, DTSC found that the proposed project could not have a significant effect on the environment, and a Negative Declaration was prepared.

**H7 ALBERT TOSTADO**

***Comment #H7-1***

Your berm was six inches high. If you have any type of rupture or any type of large spill, anything close to 62,000 gallons, that six-inch curb that you have there is not going to contain it because you also have access areas coming in and out, driveways.

I suggest a couple things: get your berm bigger, taller, get some raised catwalks above, several feet above the concrete so that your fire personnel in case of a fire can get in there and be above and still have access to it. You know, you can crisscross them, have grated fire access.

***Comment #H7-2***

Also enclose that warehouse area. Don't leave it open like that because you just—you're releasing fumes and you're releasing dust residue because of the wind going through there.

***Comment #H7-3***

You put more time possibly into focusing on neutralizing the waste in some way on site, maybe that would help.

**Response #H7-1:**

The total volume of 62,250 gallons includes wastes in MPHF and SYF-BP.

In MPHF, there is a run-off trench acting as a collection sump with a capacity of 40,500 gallons. In SYF-BP, Section A has a berm and a total secondary containment capacity of 13,400 gallons. Sections B and C share spill berms and have a total secondary containment of 47,000 gallons. In addition, Section A and Section B each have a

collection sump of 800 gallons; section C has a collection sump with a 450-gallon capacity.

DTSC assumes the comment on the 6-inch berm refers to the SYF-BP. The area can contain a release of over 60,000 gallons. The entire operational limit for containers in this area is 46,150 gallons. The regulation requires that the secondary containment handle only 10% of the total waste volume or 4,615 gallons. This bermed area far exceeds this requirement.

The area is also protected with a fire suppression sprinkler system, which upon activation would automatically sound an alarm at the 24-hour, 7-days-a-week, fully staffed fire department.

**Response #H7-2:**

DTSC assumes that warehouse area refers to the SYF-BP. This is a storage area only. The containers are closed and are inspected to ensure that the closure devices are maintained closed.

**Response #H7-3:**

SONGS only applied for storage, not a treatment permit. Drum storage requires sealed containers and minimal handling to reduce the potential for releases.

**H8 MARIANNE SU BROM**

***Comment #H8-1***

I am desperately concerned because at the end of our road there we documented incredible numbers of cancers downwind. It was up high and down—sort of down in the waters and soils in that some really terrible results 20, 30, 35 years late.

***Comment #H8-2***

I believe you have earthquakes out here and it doesn't take a doctorate to figure out that that's a tremendous hazard.

***Comment #H8-3***

Are we going to sit around and wait in these meetings and have another 9/11 hit us? I think we

need to get some kind of response; from community, from wherever.

**Response #H8-1:**

Based on the waste management practices in the mixed waste storage areas at SONGS, there are no exposure routes to the cancer-causing chemicals. Please also see Response #3-1.

**Response #H8-2:**

Please see Response #2-7

**Response #H8-3:**

DTSC, in consultation with the NRC, understood that in the aftermath of the September 11, 2001, attacks, NRC undertook a number of measures to improve security at nuclear power plants to assess areas of possible vulnerability and to define corresponding mitigation strategies. The NRC has issued Orders requiring specific steps by licensees in the following areas:

- 1) enhanced access controls to prevent unauthorized entry of persons and materials to nuclear facilities;
- 2) enhanced controls on work hours to limit fatigue to security force members;
- 3) performance-based training requirements for security personnel; and
- 4) revision to the design basis threat that describes the adversary characteristics that are credible and reasonable for a private sector organization to protect against based on the current threat.

**H9 LYN HARRIS HICKS:**

***Comment #H9-1***

The first recommendation is that nuclear regulatory reports documenting the amounts and health and safety impacts of radiation that might be blasted into the air by various sabotage or terrorist attacks and distance carried as various conditions are essential foundational information for the DTSC determination of negative impact of storing the toxics and mixed waste on site. Absent the basic

terrorist attack assessment, DTSC judged only on the storage operations and without any measure of effects of radiation contamination in the materials handled.

I want to interject a point here because I think it's very important that we recognize that this was not the choice of the DTSC. The Nuclear Regulatory Commission has imposed itself and its will on the state, on our environmental protection, California Environmental Protection Agency, in telling them they cannot consider the effects of radiation, that they cannot consider the effects of radiation even when they're judging mixed waste, which means radiated toxics and radiated materials.

**Response #H9-1:**

The NRC reports of concern to the commenter are not necessary for DTSC to determine the potential radiological risks associated with the proposed DTSC permit. The updated SONGS Fire Hazard Analysis Report (SONGS Report) that is referenced and discussed in the Initial Study, which is based on SONGS data, provides an adequate basis for making this determination. Based on the SONGS Report, DTSC determines that the resulting release of radioactive materials to the environment from reasonably foreseeable saboteur or terrorist-induced upsets would not create a significant hazard to the public. Please see Response #2-6.

**H10 CRAIG BEAUCHAMP**

The Edison application for the permit to stockpile 62,250 gallons of radiated hazardous materials on the beach bluff off of San Onofre.

**Comment #H10-1**

The CREED Underground Facility Focus Group proposed an under-the-mountain initiative for temporary storage of lethal radiated waste now accumulating on the site in San Onofre in the structures that are on the surface, on the ocean front, in front of San Onofre State Beach Park, adjacent to the only coastal transportation authority, Interstate 5 and the San Mateo Road that bisects the nuclear site.

CREED's Underground Facility Focus Group recommends that the Department of Toxic and Substance Control of the California Environmental Protection Agency look into actively—or actively pursue the NRC and homeland security assessment of the feasibility of a tunnel facility under the inland side of the mountain on the east side of the generating station site for temporary storage of the lethal materials generated at San Onofre for partial protection of the residents of Southern California and from the potentially devastating attacks—terrorist attacks.

I did some research on hand held power launchers... that from the road, from the off side of the beach, from anyplace, there's a possibility of terrorist attack.

**Comment #H10-2**

To tell me that the release of hazardous materials into the air is not going to create a health hazard for me is an oxymoron. I mean, think about it. Why is it called hazardous toxic material if it isn't harmful?

And unless there's some security to protect us from keeping it out of the air, the best place to put it is on the other side of the freeway, under the mountain and pass through tunnel so it doesn't have to travel above the land.

**Response #H10-1:**

Please see Response #8-1.

**Response #H10-2:**

Please see Response #2-1

**H11 RICARDO NICOL**

I didn't notice in your presentation any reference to seismic risks in the area and as part of the input.

**Comment #H11-1**

New studies, including some conducted by Scripps, show that there are tremendous—a tremendous number of faults offshore. In other words, the hazards of the updated seismic information is much



worse, a much higher risk than it was 20 years ago when the two plants were—were put into effect. So it seems to me that we're talking about, because of our location, we are also subject to a tremendous tsunami in case of an earthquake. So we're not just talking about air contamination, but ocean contamination.

It seems to me that any storage of hazardous—not speak—spent nuclear materials, but most hazardous materials—this is the wrong place to have them because of environmental conditions and seismic risks, not to speak of the—the terrorist risk.

**Comment #H11-2**

I didn't see anywhere where any alternate sites were considered, where any possibilities of going elsewhere. The federal government has millions of acres in the United States that probably don't have anywhere the seismic and hazardous conditions that we have here -- and the environmental sensitivity. So I just don't understand why it's this site and why another interim site can't be found.

**Comment #H11-3**

And also, interim sites in this nuclear facility seem to extend into infinity by extensions of all kinds.

**Response #H11-1:**

Please see Response #2-7.

**Response #H11-2:**

Please see Response #8-1

**Response #H11-3:**

Please see Response #3-1.

**H12 LYN HARRIS HICKS:**

The NRC-restricted staff analyzed the effect of toxic release due to fire explosion and reported that this release into the air would not pose risk to the public health or environment.

**Comment #H12-1**

The staff produced an assessment of each of the required 16 resource areas and concluded that mixed waste storage by the operators of SONGS will not have an adverse effect on any of the 16 resource areas examined. The staff defended its incomplete assessment, quote, "the radioactive portion of the waste is under the jurisdiction of the Nuclear Regulatory Commission and the handling of the wastes at the storage facilities comply with all NRC regs."

**Comment #H12-2**

The DTSC staff was relegated to 10-year-old roadway access figures and 10-year-old population data.

**Comment #H12-3**

This is the CREED statement and we—I would like to put in there also the seismic.

**Comment #H12-4**

An example of the devastating effects of the NRC restrictions accepted by the staff of the DTSC is assurance on page 16. Page 16 of the draft finds that there are adequate fire systems. It lists sprinklers, audible alarms and automatic notification to the federal fire department on Camp Pendleton and notes San Onofre has its own fire department, as though these could prevent the catastrophe of a 9-1-1 attack enough to provide a conclusion of a, quote, "insignificant impact or no impact" of the quantities of 62,250 gallons of hazardous materials spread as debris over neighboring areas.

**Comment #H12-5**

The nearest populated area is Basilone Community, which is one mile from the plant. And I live two-and-a-half miles from the plant in San Clemente. My grandson goes to Concordia School, which is just three miles from it. I think that we have to keep these facts in perspective.

**Comment #H12-6**

CREED concludes that the lack of substantiating documentation invalidates any conclusion of, quote, "insignificant impact or no impact," unquote.

**Comment #H12-7**

CREED recommends a public and local state and officials appeal to obtain from Nuclear Regulatory Commission and Homeland Security Foundation document impact of health and safety as assessed in various scenarios of terrorist attack on San Onofre with and without the low level and high level storage of lethal radiated waste.

**Comment #H12-8**

CREED recommends further that the Department of Toxic Substances Control of the California Environmental Protection Agency withhold final draft and approval denial or revision until it provides the necessary documentation and statistical updates. That's one of the three recommendations.

**Comment #H12-9**

We would like you to know what we're asking for—our load and ship policy. CREED asks withdrawal, denial or revision of Edison's request for permit to store 62,250 gallons of mixed waste at San Onofre.

In order to establish a load and ship process, load and ship can be interpreted as tightened regulations and procedures that produce packaging for shipping in the most feasible time segment that eliminates necessity for on-site storage for the hazardous wastes generated at San Onofre as a safety precaution in the new terrorist world.

**Comment #H12-10**

And we are talking in this permit to extendable, renewable one-year permits; in other words, you can keep it on the site for a year instead of getting busy and sending it off. And then if you want to keep it longer, you get another permit, an "extension" they call it, and then extensions become routine, then we don't have load and ship anymore.

And I think that it's also important to remember that when we are talking about short-term storage, that we may be preparing something which will be with us for added generations as we go along because this is a situation where we may not be able to get rid of it.

**Response #H12-1:**

Please see Response #2-2.

**Response #H12-2:**

Please see Response #7-3.

**Response #H12-3:**

Please see Response #2-7

**Response #H12-4:**

Please see Response #2-2.

**Response #H12-5:**

Comment is noted. The Initial Study analyzed potential impacts from the SONGS proposed mixed waste storage operations on environment, nearby residents, and sensitive land uses such as schools, daycare centers, and hospitals.

**Response #H12-6:**

DTSC reviewed the SONGS operation plans according to the existing hazardous waste laws and regulations, and analyzed the potential environmental impacts according to the requirements of California Environmental Quality Act and implementing Guidelines. See Responses #2-2, #2-3, #2-4, and #2-5. All information relied upon by DTSC is available for the public's review.

**Response #H12-7:**

As stated in response to #7-1, the potential consequences from a terrorist attack is bounded by the existing accident analysis and the information is publicly available. However, the information related to scenarios of terrorist attack to nuclear power plants is considered to be safeguard information and cannot be shared with the public. Nor is it needed to validate DTSC's radiological hazard evaluation. The existing safety analysis does this.

**Response #H12-8:**

Please see Response #9-1

**Response #H12-9:**

Please see Response #4-1.

**Response #H12-10:**

Please see Response #3-1.

**H13 KAREN TOSTADO**

***Comment #H13-1***

It seems to me that we have put too much effort into making this type of energy instead of using solar power and alternative methods. And I'd like to ask where does it end?

And I'd like to encourage us to look at alternative methods and try to save each other instead of burying it along with each other as we keep doing.

**Response #H13-1:**

Comment is noted.

**H14 MICHELLE MC CARTHY**

***Comment #H14-1***

I'm appalled at the lack of scientific data given in your presentation. Conclusions without data, without hypothesis, without the exact procedure of how you arrived to your conclusions is an insult on every one person in here's intellect.

***Comment #H14-2***

As far as the statement in one of the packets that the material does not pose any human health risks because of its low concentration, I don't believe that low concentration means neutralized. Is that a low concentration per barrel or as a collective inside the facility?

Basically, the data you provided was pretty much worthless in my opinion because it's vague.

**Response #H14-1:**

DTSC's presentation during the public hearing was purposely intended to give a brief overview. Details of the DTSC review were documented in the CEQA Initial Study and the RCRA Facility Assessment, as well as the RCRA Part B Application submitted by SONGS. These documents were made available to the public for review. Prior to the public hearing, a public workshop was held and staff from DTSC, NRC and SONGS were available to explain these documents and answer questions.

**Response #H14-2:**

The low concentration does not mean neutralized.

The levels of hazardous constituents in SONGS mixed waste are typical of any commercial facility and similar to other electrical generating stations' waste (except without the radioactivity).

Wastes in drums in the mixed waste storage areas are generally low concentrations or low quantities. Therefore, collectively the mixed waste in storage is considered low concentration.

**H15 JULIANNE HOLZSCHUH**

***Comment #H15-1***

I wanted to know the effects of that humid air on metal drums and other metal things within the plant. I want to know if they're regularly checked for rust, maintained, replaced and, some of the drums are there for over a year and that would surely—be enough to rust through.

***Comment #H15-2***

The little six-inch curbs you have won't really do much if too many of the drums rusted and leaked.

So I just want to address that and ask about that seeing as how it is an open-air warehouse and a lot of water and other human things can get in there and deteriorate the quality of the drums.

**Comment #H15-3**

And I want to know why it is an open-air warehouse as I'm sure there surely has to have been some leaks at one point or another. And well, everything has fumes. And this is a pretty windy area, as it's close to the ocean and all. And why they haven't closed it off so there's no effect on the coastal community or actual wildlife.

**Comment #H15-4**

And I also noticed that it said there wouldn't be an increased effect if more drums have been stored there and, well, as it is a pretty large amount already, I want to know what effect there already has been. If it isn't an increased effect as related to what's already happening or it's what's been happening already is so much that the effect isn't, well, considered too bad because it's already pretty bad.

**Response #H15-1:**

All containers used to store and ship mixed waste and combined waste must meet U.S. Department of Transportation standards, including corrosion resistance. Containers are inspected at least weekly.

**Response #H15-2:**

The storage areas and containers of mixed waste and combined waste are inspected for spills or releases and container integrity at least weekly. Any releases or deteriorating containers must be replaced immediately.

**Response #H15-3:**

Mixed wastes are placed into storage in sealed containers. Most of wastes stored are not volatile. Emissions from the storage facilities are deemed to be negligible.

**Response #H15-4:**

SONGS has been allowed to store mixed waste at the capacity of 62,250 gallons under an interim authorization. The proposed project does not

involve an increase in the facility's storage capacity for mixed waste and/or combined waste. The history of hazardous waste management and releases at SONGS is documented in the RCRA Facility Assessment (RFA) and is available at the Public Library in San Clemente.